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**Civil Engineering**

**MANAGING AIR FORCE REAL PROPERTY**

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This handbook supplements AFD 32-90, *Real Property Management*, AFI 32-9001, *Acquisition of Real Property*, AFI 32-9002, *Use of Real Property*, AFI 32-9003, *Temporary Use of Air Force Real Property*, AFI 32-9004, *Disposal of Real Property* and AFI 32-9005, *Real Property Accountability and Reporting*. It is designed to provide commanders and real property managers a reference for acquiring, disposing and managing real property. This handbook applies to all major commands (MAJCOM) and installations within the Air Force.

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## Chapter 1

### ACQUIRING REAL PROPERTY

#### *Section 1A—Fundamentals of Acquiring Real Property*

##### **1.1. Acquiring Real Property.**

Based upon the responsibilities and levels of authority defined in AFI 32-9001, *Acquisition of Real Property*, installation commanders and base civil engineers must only acquire the least amount of real property needed to meet peacetime and mobilization requirements. Perform a preliminary assessment and site investigation to determine whether the property is associated with a history of hazard substance activities. Accomplish this environmental audit in accordance with Environmental Protection Agency (EPA) procedures and Air Force Environmental Baseline Survey (EBS) guidance. Before you acquire real property by lease or purchase, determine if the requirement can be satisfied by:

- 1.1.1. Use of other real property under Air Force control.
- 1.1.2. Use of property excess to requirements of other military departments or other government agencies.
- 1.1.3. Withdrawal of public land.
- 1.1.4. Use of real property with reuse or "recapture" rights.
- 1.1.5. Acquisition of real property from state or municipal governments through donations.
- 1.1.6. Use of real property under long term nominal or low-cost lease.
- 1.1.7. Exchange of Air Force real property for privately owned property of the same value. Include consideration of real property belonging to other military or government agencies.
- 1.1.8. Acquisition of title to real property by gift. (See AFI 51-601, *Gifts to the Department of the Air Force*).

##### **1.2. Methods of Acquisition.**

Acquire real property by any method that fulfills the Air Force requirement in the most economical way and has the least adverse impact on the local economy. These methods apply in the United States, territorial areas administered by the United States, and the Commonwealth of Puerto Rico. Use an economic analysis (AFM 65-506, *Economic Analysis* and AFI 65-501, *Economic Analysis*) to help decide the alternative acquisition methods. When requirements cannot be met by using one of the methods in paragraph 1.1, the acquisition of a needed interest in real property may be authorized by law. Property acquisitions are specifically authorized by Congress when value is in excess of \$500,000, minor land acquisition by the Secretary of the Air Force or as delegated can be undertaken when value is less than this amount (10 United States code 2672). See Section 1.26. Real estate interest that may be acquired are:

- 1.2.1. **Fee Simple Title.** Consider acquiring real property by fee simple title if there is a requirement to support permanent construction of improvements or the following circumstances exist:
  - 1.2.1.1. The cost of a lesser interest (lease or easement) and cost of the proposed construction equals or is more than the current fair market value of the land.
  - 1.2.1.2. The estimated period of use is long enough to ensure that the amount to be spent for required rentals and restoration is more than 50 percent of the fair market value of the fee title consideration.
  - 1.2.1.3. The cost of acquiring an easement is more than 75 percent of the current fair market value of the fee simple title.

1.2.2. **Lesser Interests.** If the estimated period of use is so limited that fee acquisition cannot be justified for economic reasons, consider acquisition by easement, lease, license, or permit. For acquisition in foreign countries, see Section II.

1.2.2.1. **Leasehold Condemnations.** Acquisition by leasehold condemnation is sometimes necessary to meet critical mission objectives. If there is a continuing requirement for land and/or improvements that cannot be satisfied by other means, seek permanent real property interest by submitting a Military Construction Program line item for fee acquisition to HQ USAF/ILEP two years before the lease term expires. In accordance with AFI 32-9001, send requests for leasehold condemnations to AFREA/DR for SAF/MII approval. All lease condemnation actions require environmental analysis (EA) and an environmental baseline survey (EBS) or a waiver thereto.

1.2.2.2. Take into consideration the possibility of a change in mission beyond five years, when determining the interest to be acquired. When determining an estate less than fee, consider whether the lease or easement term should be a limited term or perpetual. Ordinarily, a real estate interest should not extend beyond the programmed mission requirements or economic life of the government improvements.

1.2.3. **Private Sector Partnering.** The 1996 Housing Amendments to the FY 96 National Defense Authorization Act (P.L. 104-106), 10 Feb 96, allow for a new approach to obtaining houses for military families and dormitories for single military members. New authorities allow for the acquisition or construction of family housing and for building or rehabilitation of dormitories “on or near” military installations in the United States, Puerto Rico, and U. S. territories and possessions, such as Guam and the United States Virgin Islands. (Such authorities presently are not available in foreign countries.) These authorities allow the Air Force to partner with the private sector, providing land, money, and guarantees to assure private developers of a durable and profitable investment in dwelling units intended, primarily, for military personnel. HQ USAF/ILEI, Facility Outsourcing & Privatization Division, is the OPR for general procedures for such Air Force housing privatization projects.

### 1.3. Standards and Scope for Acquisition.

Accomplish an environmental baseline survey (EBS) in accordance with AFI 32-7066, *Environmental Baseline Surveys in Real Estate Transactions*, to document the nature, magnitude and extent of any environmental contamination of property or interests in real property considered for acquisition. Steps must be taken to make sure land and property acquisitions are in compliance with the National Environmental Policy Act of 1969 (NEPA) (Title 42, United States Code, Sections 4321-4347, as prescribed in AFI 32-7061, *The Environmental Impact analysis Process*. Also see Air Force Policy Directive 32-70, *Environmental Quality*, for more information.

1.3.1. Comply with the standards and scope in AFI 32-1024, *Standard Facility Requirements*, and AFH 32-1084, *Facility Requirements*, that support the Air Force comprehensive plan according to AFI 32-7062, *Air Force Comprehensive Planning*.

1.3.2. Protect historic and cultural properties, as required by conforming with the following guidance:

1.3.2.1. National Historic Preservation Act of 1966, Title 16, United States Code, Chapter 470, as amended

1.3.2.2. Executive Order 11593, *Protection and Enhancement of the Cultural Environment*, , 13 May 1971

1.3.2.3. Archeological Resources Protection Act of 1979 (Title 16, United States Code, Section 47022-47011)

1.3.2.4. Archeological and Historic Preservation Act of 1974, as amended (Title 16, United States Code, Section 469a-469c)

1.3.2.5. National Historic Preservation Act Amendments of 1980 (Title 16, United States Code, Section 470) et seq. and Amendment of 1972.

1.3.3. Use historic properties available in the real property inventory before acquiring, constructing, or leasing additional facilities, when economically feasible.

#### **1.4. Renewing Leases.**

Develop a procedure to ensure that requests to renew leases for real property are processed in a timely manner. Renewal may start as early as three years in advance of lease expiration for leases with 25 or 50 year terms. (See paragraph 1.41)

1.4.1. Include the appropriate environmental impact analysis in accordance with AFI 32-7061. Do not risk the loss of use of leased property due to an incomplete environmental impact analysis, if one is required. An Environmental Impact Statement (EIS) is required when there is a significant degradation of environmental quality and the property or the intended use has a significant impact on the surrounding community, land use, or conservation interest, or use of the property by the Air Force may prove controversial. (See Section 1B.)

1.4.2. Pay attention to the alternatives, including environmental consequences resulting from reversion of the property to private use for renewals of Air Force leaseholds. See AFI 32-9001 for levels of approval authority. Send lease renewals with an annual rental over \$200,000 to AFREA/DR for approval at least 12 months before the lease expires.

1.4.3. Consider and document environmental effects of proposed Air Force actions through AF Forms 813, EAs, FONSI, EISs, EIS Records of Decision (ROD), and documents prepared according to Executive Order (E.O.) 12114. Send an AF Form 813, *Request for Environmental Impact Analysis*, with each lease renewal request as prescribed by AFI 32-7061, *The Environmental Impact Analysis Process*. (See Section 1B)

**NOTE:** The requirements in paragraph 1.4 do not apply to real property used for industrial production and related purposes or to foreign real property cited in Section 1I.

#### **1.5. Construction on Leased Land.**

MAJCOMs must send requests for construction on leased land and land subject to reversion to AFREA/DR for SAF/MII approval. See AFI 32-9001 for data to be included with the request. This also applies to construction on interests acquired by easements, rights-of-entry, and licenses from nonfederal parties. Ensure that the interest in the real property is sufficient for the purpose of the construction project. Include the following standard terms and conditions in the lease or other instrument:

1.5.1. Firm term or the right of renewal for a term equal to or longer than the useful life of the construction or of the project.

1.5.2. Consideration not exceeding fair market value.

1.5.3. Reserve government title to all improvements placed on the property. This includes the right to dispose of improvements during the term of the real estate instrument by sale, abandonment.

1.5.4. Waiver by the property owner of any and all claims for restoration of the property.

**NOTE:** SAF/MII must approve any variation from these terms.

#### **1.6. Constructing, Improving, or Modifying Facilities.**

Do not construct, improve or modify real property of another government agency unless the Air Force has exclusive use. In such cases, attempt to get a permit for the full period of planned use. If a permit for the full period cannot be obtained, get a five-year permit with an option to renew for an additional five years. Send requests for exceptions to AFREA/DR.

#### **1.7. Flood Hazard Considerations.**

Under Executive Order 11988, you must evaluate flood hazards when acquiring land or facilities. This

prevents the uneconomic, hazardous and unnecessary use of flood plains and areas subject to flash flooding. If you have jurisdiction over real property that has suffered flood damage, or that may flood, mark the past or probable flood heights so the public will be aware of flood hazards.

1.7.1. Evaluate flood hazards according to the guidelines in the Water Resources Council publication of February 1978, *Flood Plain Management Guidelines for Implementing Executive Order. 11988*. Obtain a copy of this publication from the Federal Emergency Management Agency, Flood Plain Management Office, Room 509, 500 C Street, SW, Washington DC 20472. See AFI 32-7064, *Integrated Natural Resources Management*, for more information. **Note:** Construction is allowed where a Finding of No Practicable Alternative (FONPA) has been documented.

### **1.8. Economic Analysis.**

An economic analysis is required for all leasehold acquisitions in lieu of new construction if the rent exceeds \$500,000 per year. See AFI 65-501, *Economic Analysis* and AFMAN 65-506, *Economic Analysis*.

### **1.9. Wetlands.**

Executive Order 11990, *Wetlands Management*, requires us to take action to minimize the destruction, loss, or degradation of wetlands. Preserve and enhance the natural and beneficial values of wetlands when acquiring land or in managing federal land and facilities.

1.9.1. Wetlands are areas of hydrological utility and environmental diversity providing natural flood control, improved water quality, and stabilization of the flow of rivers and streams. They also provide habitat for fish and wildlife resources. Wetlands contribute to the production of agricultural products and timber and provide recreational, scientific, and aesthetic resources of national interest. See AFI 32-7064, *Integrated Natural Resources Management*, for more information.

### **1.10. Air Installation Compatible Use Zone (AICUZ).**

To ensure the operational integrity of military airfields in the United States and the territorial areas administered by the United States, it may be necessary to acquire property interests near Air Force installations where the off-base land uses are incompatible with aircraft operations. See AFI 32-7063, *Air Installation Compatible Use Zone Program, and Attachment 2, Required Land Encumbrances-Expanded Clear Zone (ECZ) Easement Estate*, of this handbook, for more information. Obtain necessary rights by exchange or purchase. Installation commander will initiate efforts to encourage local community planners to develop land use controls that limit potential inconsistent land uses and development in off-base areas at ends of airfield runways to prevent encroachments which threaten military aircraft operations.

### **1.11. Legislative Jurisdiction.**

Legislative jurisdiction means the power to pass and enforce U.S. laws on matters that are ordinarily reserved to the state. Examples are common crime, family law, and tort law. However, regardless of where legislative jurisdiction lies, the power of the base or installation commander to enforce Air Force instructions, the Uniform Code of Military Justice, and federal statutes is not affected. See AFI 32-9001, *Acquisition of Real Property*, AFI 32-9002, *Use of Real Property Facilities*, and AFI 32-9003, *Granting Temporary Use of Air Force Real Property*, for more information.

1.11.1. Legislative jurisdiction is acquired according to Title 40, United States Code, Section 255. The military departments relinquish legislative jurisdiction to the State pursuant to Title 10 United States Code, Section 2683.

1.11.2. There are four types of legislative jurisdiction.

**1.11.2.1. Exclusive.** When the Federal government has acquired, in the manner provided by state statute, all of the state's judicial, legislative and administrative authority, and the state concerned has not reserved to itself the right to exercise any of the authority concurrently with the federal government, except the right to serve state civil or criminal process for activities that occurred outside of the area, which is an exception.

**1.11.2.2. Concurrent.** When the state, in granting the government authority that would amount to exclusive legislative jurisdiction over an area, has reserved to itself the right to exercise, concurrently with the federal government, all of the same authority. This rare case currently exists in Alaska due to the special provisions in Public Law 85-508, *Alaska Statehood Act* **Note:** It is Air Force policy not to hold concurrent jurisdiction except in unusual circumstances.

**1.11.2.3. Partial.** When the government has been granted some of the state's authority to legislate but the state concerned has reserved the right to exercise, by itself or concurrently with the government, some authority beyond the right to serve criminal process in the area. an example is the right to tax private property.

**1.11.2.4. Proprietorial (or Proprietary).** The term is applied when the government has acquired some right or title to a land area in a state but has not obtained any of the state's police power authority legislate over the area. Because of its functions and authority under various provisions of the Constitution, the government has many powers and immunities in acquired land area that ordinary landowners do not have. Further, all of its properties are held and functions are performed in a governmental capacity rather than a proprietary (example: business) capacity.

1.11.3. It is the general policy of the Air Force to operate under a proprietorial interest in land rather than any other degree of legislative jurisdiction unless such interest is necessary to carry out the assigned mission. Further, it is Air Force policy to honor requests from the states to retrocede unnecessary legislative jurisdiction to the state concerned, particularly jurisdiction over public roads that cross or border an Air Force base or installation.

1.11.4. Planned expansions or contraction of legislative jurisdiction over military property may be taken only after the installation's consultation with the local United States Attorney.

1.11.5. The Justice Department also requires that its General Litigation and Legal Advice Section of the Criminal Division be consulted before jurisdictional changes occur. An information copy of the consultation correspondence with the local United States Attorney will suffice. The Corps of Engineers, as Air Force real estate agents, must notify:

General Litigation and Legal Advice Section  
Criminal Division  
US Department of Justice  
10th and Constitution Ave., NW  
Washington DC 20530

A copy of this correspondence must be provided to the Office of the Chief of Engineers

U.S. Army Corps of Engineers  
Attn: CERE-MM  
20 Massachusetts Avenue, NW  
Washington DC 20314-1000

1.11.6. District Engineers keep records of and provide information that concerns federal legislative jurisdiction on Air Force installations.

1.11.7. Send requests for any degree of federal legislative jurisdiction through MAJCOM to AFREA/DR for approval by SAF/MII. Approved actions are then sent through channels to the appropriate District Engineers for action. The request must:

- 1.11.7.1. Include a vicinity map and a drawing or description of the land area and a prepared letter to the Governor for execution in the Office of the Secretary.
  - 1.11.7.2. Give the current status of legislative jurisdiction over the area concerned.
  - 1.11.7.3. State, in detail, the background and circumstances for acquiring legislative jurisdiction.
  - 1.11.7.4. Make known the degree of jurisdiction considered necessary with full justification.
  - 1.11.7.5. State whether the desired jurisdiction is available under the present laws of the state and provide copies of relevant state laws.
  - 1.11.8. AFREA/DR directs the Corps of Engineers to prepare a jurisdiction assembly which explains state procedures for acceptance of the jurisdiction and provides a proposed letter to the Governor for execution in the Office of the Secretary.
  - 1.11.9. In regard to procedures for retrocessions, send requests to retrocede federal legislative jurisdiction through the MAJCOM to AFREA/DR for SAF/MII approval. Approval actions are then sent through channels to the appropriate District Engineer for action. All requests must:
    - 1.11.9.1. Identify the installation or facility and land tract (or tracts) involved.
    - 1.11.9.2. Include a vicinity map and a legal description of the land.
    - 1.11.9.3. State the type of legislative jurisdiction now held over the land.
    - 1.11.9.4. Explain the background and circumstances that make retrocession desirable.
    - 1.11.9.5. Recommend the degree of legislative jurisdiction desired to be retroceded. The policy is to relinquish exclusive jurisdiction and operate under a proprietary interest only.
- NOTE:** When government real property is disposed of, any legislative jurisdiction held by the United States becomes extinguished.

## **1.12. Annexing Land.**

A municipality annexes land under general or special state laws to expand municipal boundaries. Ownership of land does not change and the powers and immunities of the base commander under federal law are not affected.

- 1.12.1. The Secretary of the Air Force or a designated representative (presently, SAF/MII) has the authority to accept or protest annexation of Air Force controlled land. DOD policy is for military departments to remain neutral to annexation proposals. Annexations are not usually opposed unless the Secretary or representative finds that the action would not be in the best interest of the government or the annexation proposal is opposed by another political subdivision. Research state laws when annexation is a possibility.
- 1.12.2. The base or installation commander must let the MAJCOM and AFREA/DR know about plans to annex Air Force lands, so that the Air Force Secretariat has an opportunity to comment when a request is received from a political subdivision of a state. Also notify the MAJCOM when information or official notice has been received from a municipality.
- 1.12.3. The BCE (assisted by the Staff Judge Advocate) prepares an Annexation and Evaluation Report for submittal through the MAJCOM to AFREA/DR for Secretariat approval. Data should include, but not be limited to:
  - 1.12.3.1. Location of the area, its acquisition origin, and present use.
  - 1.12.3.2. Title held by the government and the degree of legislative jurisdiction, if any, over the property.
  - 1.12.3.3. A color-coded map of the general area proposed for annexation, showing the extent of the government installation and the lands proposed for annexation. The map must be a portion of the Air Force installation plan and must show both current and proposed uses of the property at issue.
  - 1.12.3.4. Effect, if any, on the base or installation comprehensive (master) plan and assigned mission.
  - 1.12.3.5. Known benefits to the base or installation personnel, if any, resulting from annexation. This includes benefits like municipal fire protection; police services; snow removal; street maintenance,

sanitation services, use of schools, utility services, or reduced utility rates. Show the current source of utilities for the installation and include annexor's capability to furnish such services.

1.12.3.6. Adverse effects, if any, on the base or installation personnel from municipal taxation, licensing, or other actions, that could result in increased costs because of the levy of taxes on Air Force concessionaires, contractors, or lessees.

1.12.3.7. Reasons given by the state political subdivision for annexing government land and whether any opposition to the annexation proposal has been expressed by other political subdivisions.

1.12.3.8. The base commander's recommendation on the proposed annexation.

1.12.4. Where time is of the essence and to make sure that the government interests in the annexation are not forfeited, the base or installation commander may ask for an extension of time before the annexation becomes effective to allow the Secretary to comment on its affect on the Air Force installation. This may be done by letter, by personal appearance at the proceedings, or as otherwise stipulated by state law or local ordinances, subject to amendment, explanation, or withdrawal, after the Air Force has had time to review the facts and establish its final position.

### **1.13. Restrictions on Use of Funds for Land Acquisitions.**

1.13.1. **Nonappropriated Funds.** Nonappropriated funds generally cannot be used to acquire a fee title to real property in the name of the nonappropriated fund activity or the government.

**EXCEPTION:** Purchase of privately owned buildings already located on government property. Get advance approval of HQ USAF governing Board of Directors or Chief of the respective central nonappropriated fund activity (Air Force Welfare Board, Army and Air Force Exchange Service (AAFES); or the Army and Air Force Civilian Welfare fund), and the Secretary of the Air Force for any exception to this policy.

1.13.1.1. Use nonappropriated funds for constructing, altering, converting, or improving structures on government-leased or government-owned land as outlined in AFI 32-1022, *Planning and Programming Nonappropriated Fund Facility Construction Projects*. Use non- appropriated funds according to current established funding policy and guidance provided by HQ USAF/ILEP. Do not use funds from the resources of the AAFES without approval of the Board of Directors or the Commander, AAFES. Do not use commissary surcharge funds without approval of the Board of Directors, Air Force Commissary Service.

#### **1.13.2. Parking Space for Privately Owned Vehicles of Military and Civilian Personnel.**

1.13.2.1. It is not Air Force policy to acquire parking spaces by lease, except where such property is an integral part of a military installation. This is because these facilities are an expense that should be borne by the persons using the space rather than the government and use is in direct competition with private enterprise. Send requests for exceptions to this policy to AFREA/DR for consideration. Examples are if parking is required for the following:

1.13.2.1.1. Civilian volunteer workers

1.13.2.1.2. Handicapped personnel

1.13.2.1.3. Parking official vehicles with government tags

1.13.2.1.4. Visitor parking

1.13.2.1.5. Local zoning ordinances prohibit establishing commercial parking lots

1.13.2.1.6. Assigned personnel will incur substantial hardship

1.13.3. **AAFES.** Do not use appropriated funds for leasing real property required for activities of the AAFES in the United States. See Title 10 United States Code, Section. 9779(b). For AAFES in foreign countries, see paragraph 1.71.3.

1.13.4. **Advance Rental Payments.** Advance rental payments under leasehold interests are generally prohibited. An exception is in foreign countries as noted in paragraph 1.71. The primary purpose is to prevent the possibility of loss to the government in case a recipient fails to perform or fails to refund

monies advanced. However, there are instances where state codes or statutes require payment of rental in advance as a condition for the lease of state-owned land. Therefore, due to the established responsibility of state governments that reduce to a minimum the possibility of loss to the United States, advance rental payments to states may be authorized, provided circumstances warrant. Send these type requests to AFREA/DR for approval.

#### **1.14. Approving and Executing Real Property Instruments.**

The Secretary of the Air Force may authorize real property acquisition after Congressional clearance. The Secretary of the Air Force may designate a representative, such as the Army District Engineer, to negotiate, execute acquisition or other real estate use instruments. Otherwise, real estate instruments are approved and executed according to delegated authorities authorized by SAFO. Send the instruments to AFREA/DR for execution by the Secretary of the Air Force or a designated representative.

#### **1.15. Services of the Corps of Engineers.**

The Air Force uses the Office of the Chief of Engineers (HQ USACE) for acquiring all real property for Air Force use unless Air Force selects another real estate agent. HQ USACE provides services, as required, such as negotiations with property owners, and prepares, records and distributes legal instruments, and serves as the office of record. See AFI 32-9006, *Army and Air Force Basic Real Estate Agreements*. Air Force officials of MAJCOMs, intermediate commands and base or installation engineers may contact Division and District Engineers if the authority has been delegated.

#### **1.16. Acquisitions That Require Advance Approval.**

See AFI 32-9001 for delegations of authority and types of acquisitions that require advance approval. Requests must include the following information:

1.16.1. For fee acquisition include:

1.16.1.1. Location, size, value or cost factors.

1.16.1.2. Real property interest to be acquired.

1.16.1.3. Effects of severance.

1.16.1.4. Mineral and other interests.

1.16.1.5. Short and long-term effect on the local economy.

1.16.1.6. Environmental analysis if required. See AFR 32-7061, *The Environmental Impact Analysis Process*.

1.16.1.7. Clean Air Act Conformity determination.

1.16.1.8. Environmental Baseline Survey (EBS).

1.16.1.9. Planned use that supports the acquisition.

1.16.1.10. Unfavorable factors and any other pertinent data that affect the acquisition.

1.16.1.11. Include a real estate planning report (REPR) for all fee acquisition property. This REPR must:

1.16.1.11.1. Be prepared by a qualified appraiser.

1.16.1.11.2. Include engineering and cost data.

1.16.1.12. Include location maps and all information needed to fully understand and support the acquisition.

1.16.1.13. Include a statement on additional real property requirements and the estimated cost if the proposed acquisition represents only a part of total program needs.

1.16.1.14. Include a description and an estimate of the fair market value of real property currently held that becomes excess as a result of the proposed acquisition.

1.16.2. For a lease acquisition, include:

1.16.2.1. Short and long-term effects on the local economy.

- 1.16.2.2. Description of the government-owned facilities surveyed and the reasons for rejection.
- 1.16.2.3. Cost of rent, utilities, and other services to be provided.
- 1.16.2.4. Economic analysis, if the lease is in place of new construction. See AFI 65-501, *Economic Analysis*, for more information.
- 1.16.2.5. Planning Report (LEPR) or appraisal.
- 1.16.2.6. If the proposed acquisition is to replace or extend an existing lease, provide a copy of the lease instrument or a general description of the terms and conditions of the lease.
- 1.16.2.7. If the space being leased (for example, GSA space) for the Air Force costs more than \$200,000 a year, AFREA/DR sends a report of facts to the Congress. See Title 10 United States Code, Section. 2662(e).
- 1.16.3. For proposed transfers of real property from one military department to another, include justification and written evidence of the availability of the property. Also include agreements "in principle" from the holding department to transfer it.
- 1.16.4. Include an EBS and a written environmental analysis initiated with an AF Form 813, *Request for Environmental Impact Analysis*. If the action is not "Categorically Excluded" (CATEX) in accordance with AFI 32-7061, *Environmental Impact Analysis Process*, provide an Environmental Assessment (EA). Subsequently, either a "Finding of No Significant Impact" (FONSI) or an "Environmental Impact Statement" (EIS) also must be prepared. See AFIs 32-7061 and 32-7066, *Environmental Baseline Surveys in Real Estate Transactions*, for more information.

### 1.17. Reports to Congressional Committees.

**1.17.1.** After SAF/MII approval, AFREA/DR must give the House National Security Committee and Senate Armed Services Committee 30 days notice before entering into any of the following acquisition transaction within the United States: **Note: Title XXVIII, Subtitle B, Section 2811 of Public Law 105-85 (Nov 18, 1997), "National Defense Authorization Act for Fiscal Year 1998," raised the ceiling for minor land acquisition projects in 10 United States Code 2672 from the existing \$200,000 limit for such acquisitions to \$500,000. Unfortunately, the Congressional reporting limit for major acquisitions in 10 USC 2662 wasn't concurrently raised. Therefore, until such time as the reporting limit in 10 USC 2662 is raised to \$500,000 per acquisition, minor land acquisitions above \$200,000 to \$500,000 will have to be reported to the House National Security Committee and Senate Armed Services Committee by SAF/LLP through AFREA/DR.**

- 1.17.1.1. Acquiring fee title to real property if the estimated cost is more than \$200,000.
- 1.17.1.2. Leasing any real property if the estimated annual rental is more than \$200,000.
- 1.17.1.3. Transferring government-owned real property from another military department if the estimated value is more than \$200,000. **NOTE:** The reassignment of real property within a military department is excluded.
- 1.17.1.4. Any space assigned to an Air Force activity by GSA in leased space for an annual rent in excess of \$200,000. The cost of utilities and other operation and maintenance services is excluded.
- 1.17.1.5. Modifications by either the grantor or grantee of an existing license or permit of government-owned real property if substantial Air Force investments have been made or are proposed to be made.
- 1.17.2. Congressional reporting is not required in cases where the real property acquisition has been specifically authorized in a Military Construction Authorization Act.

### 1.18. Additional Congressional Reporting by MAJCOMs.

- 1.18.1. Submit an annual summary report (RCS:SAF-MII(A)8701, *Acquisition and Disposal of Real Property*), to AFREA/DR showing all real property transactions that involve:
  - 1.18.1.1. An estimated price, cost, annual rental or value of more than \$25,000, but not more than \$200,000.

1.18.2. AFREA/DR consolidates this report and sends it to SAF/LLP. SAF/LLP sends the report to congressional committees as prescribed by 10 U.S.C. 2662(b).

### **1.19. Screening Government-Owned Real Property.**

1.19.1. MAJCOMs screen Air Force real property requirement with the appropriate other DoD installations in the desired area and with GSA regional office to determine if government-owned real property is available to fill the requirement before starting any other action to acquire private property. See attachment 3 for a list of General Services Administration (GSA) regional offices. MAJCOMs may delegate this authority to installation commanders as long as the results of the screening are sent to the MAJCOM as part of the acquisition request.

1.19.1.1. Send requests for acquiring nonfederal real property to AFREA/DR with documentation. List the reasons why any available government-owned property located in the desired area cannot be used.

1.19.2. AFREA/DR will further screen requests for acquiring real property at departmental level to determine if government-owned real property is available.

1.19.2.1. Unless unusual circumstances warrant otherwise, it is DoD policy that current requirements of one military department be given preference over future or mobilization requirements of another military department. If Air Force gets Army or Navy real property by permit under this policy, MAJCOMs may not make extensive modifications to the real property unless it is authorized by SAF/MII

1.19.2.2. All real property acquisition requests must list the DOD installations and GSA regional office contacted and the results of the screening.

### **1.20. Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970.**

This act (Title 42, United States Code, Section 4601 et seq.), also known as Public Law 91-646, applies to all programs or projects of a federal agency that involve acquisition of real property and displacement of people, businesses, or farm operations.

1.20.1. This Act establishes a uniform policy for fair and equitable treatment of persons displaced as a result of federal and federally assisted programs, such as acquisition of real property. The Air Force must follow the policies in the Act to encourage and expedite acquisition of real property by agreements with the owners, to avoid litigation, and to promote public confidence in federal land acquisition practices.

1.20.2. HQ USACE is responsible for implementation of the Act for activities conducted on behalf of the Air Force. The Air Force responsibility in connection with the program is the selection of the property to be acquired and the notification of the Corps of Engineers of the selection.

## ***Section 1B—Environmental Issues and Baseline Surveys***

### **1.21. Intergovernmental and Interagency Coordination for Environmental Planning (IICEP) Notification Requirements.**

Early in the planning stage, each real property acquisition project that requires congressional notification must be submitted through the IICEP process. See AFI 32-7060, *Interagency and Intergovernmental Coordination for Environmental Planning*. After congressional reporting requirements have been met, the Base Civil Engineer (BCE) sends project information to the state, local agencies, and other federal agencies within 10 days. If comments are received, send them to the MAJCOM immediately for appropriate staffing to AFREA/DR and AF/ILEV, as well as the appropriate Regional Compliance Office of the Air Force Center for Environmental Excellence. If the comments or recommendations will take more than 30 days to evaluate and resolve or cannot be concurred with, the MAJCOM prepares a

written response, coordinate this response with AFREA/DR and AF/ILEV, and sends it to the state or any other commenting agency. Provide the Regional Compliance Office a copy of the response.

### **1.22. Environmental Baseline Surveys (EBS).**

When a real estate acquisition is identified, ask the appropriate installation environmental function to conduct an EBS. Funding for the EBS is provided by the environmental function. The EBS will be completed in accordance with AFI 32-7066, *Environmental Baseline Surveys in Real Estate Transactions*. The EBS serves as the basis for notice of environmental condition when required under Section 120(h)(1) of the Comprehensive Environmental Response, Compensation and Liability Act of 1980 (CERCLA) as amended (Title 42 United States Code, Section 9620(h)(1)) or any applicable state or local real property disclosure requirement. The EBS also serves to support the Finding of Suitability for Transfer (FOST) or Finding of Suitability for Lease (FOSL) for property at a BRAC installation or for real property where the Air Force is terminating government operations under the "Clean Parcel" identification requirements of Section 120(h)(4) of CERCLA.

**1.22.1. EBS Purpose.** The purpose of the EBS is as follows:

1.22.1.1. Document the nature, magnitude, and extent of any environmental contamination of property of interests in real property considered for acquisition, outgrant or disposal.

1.22.1.2. Identify potential environmental contamination liabilities associated with a transaction. Establish environmental due diligence.

1.22.1.3. Develop enough information to assess health and safety risks.

1.22.1.4. Protect human health and the environment.

1.22.1.5. Determine possible effects of contamination on property valuation.

**1.22.2. Documentation Required in Real Estate Package.** The approval package and the administrative file for every real estate transaction must include either an EBS or a waiver signed by the Chairman of the installation's Environmental Protection Committee. See AFI 32-7066 for criteria and examples of transactions eligible for waiver from the EBS requirement. At expiration or earlier termination of a temporary interest, the conditions and matters affecting the property on the ending date of the interest are documented in a supplement to the EBS.

### **1.23. National Environmental Policy Act of 1969 (NEPA).**

The National Environmental Policy Act of 1969 (NEPA), as amended by Public Law 91-190, Title 42, United States Code 4321-4347, January 1, 1970, as amended by Public Law 94-52, July 3, 1975, and Public Law 94-83, August 9, 1975. This Act established national environmental policies and goals and the Council on Environmental Quality.

**1.23.1. Purpose.** The purposes of this Act are

1.23.1.1. To declare a national policy which will encourage productive and enjoyable harmony between man and his environment and biosphere.

1.23.1.2. Stimulate the health and welfare of man.

1.23.1.3. Enrich the understanding of the ecological system and natural resources important to the Nation.

1.23.1.4. Promote efforts which will prevent or eliminate damage to the environment and biosphere.

1.23.2. This Act ensures that agency decisions are based on an understanding of potential environmental consequences of proposed actions and alternatives, including the alternative of taking no action.

**1.23.3. Documentation Required in Real Estate Package.** The approval package and the administrative file for every real estate transaction must include, as appropriate, either a Categorical Exclusion (CATEX - Air Force Form 813, *Request for Environmental Impact Analysis*), or an Environmental Assessment (EA) and a Finding of No Significant Impact (FONSI), or an Environmental Impact Statement (EIS) and a Record of Decision. See AFI 32-7061, *The Environmental Impact*

*Analysis Process*, for more information.

#### **1.24. Clean Air Act Amendments of 1990.**

The Clean Air Act regulates air emissions from stationary and mobile sources to protect public health and welfare. States and local agencies have the primary responsibility to prevent and control air pollution. The Clean Air Act Amendments of 1990 represent the most recent legislation for the control of air pollution in the United States. These amendments are the first significant revisions to the Clean Air Act in 13 years. The amended statute strengthens and broadens earlier legislation by setting specific goals and timetables for reducing urban smog, airborne pollutants, hazardous air pollutants, acid rain, and stratospheric ozone depletion during the next decade and beyond.

**1.24.1. Purpose.** The statute promotes reduction of air pollution by requiring states to attain specified national ambient air quality standards by a specified date (attainment date). “Conformity Analysis” examines the direct and indirect emissions of a proposed federal action to ensure the proposed action will conform to the applicable State Implementation Plan or Federal Implementation Plan for attaining and maintaining national ambient air quality standards. States follow the Environmental Protection Agency General Conformity Rule until they have adopted conformity provisions in their State Implementation Plans. The EPA rule only affects federal actions in nonattainment or maintenance areas. Because there is no EPA conformity rule for attainment in unclassifiable areas, the federal agency must follow the statute and note that it is doing so in its NEPA analysis. See 40 CFR Part 51, Subpart W, *Determining Conformity of General Federal Actions to State or Federal Implementation Plans for more information.*

**1.24.2. Documentation.** The approval package and the administrative file must document compliance with the statute, the EPA rule, and any state conformity laws. Such documentation will be one of the following:

**1.24.2.1. Brief Statement in NEPA document.** Action occurs in an attainment or unclassifiable area. Documentation must show statutory compliance.

**1.24.2.2. Conformity Analysis in the NEPA document.** Action is in a nonattainment or maintenance area, but a conformity determination is not required because (a) action is within EPA exempt category (40 CFR 93.153(b)); or (b) action is within clearly *de minimis* category established in rule; or (c) actual calculations of total emissions demonstrate *de minimis*. Documentation must show conformity analysis.

**1.24.2.3. Conformity Determination.** Action is in a nonattainment or maintenance area and is not exempt or *de minimis*. All procedural requirements of the rule, including public review, must be met and a stand-alone conformity determination must be included in the approval package.

**NOTE:** Because conformity is an independent requirement under the Clean Air Act amendments, compliance with conformity must be documented on the AF Form 813, *Request for Environmental Impact Analysis*, in the Remarks section when a CATEX determination is made.

#### **1.25. Compliance with Other Laws and Regulations.**

Comply with all provisions of other existing federal, state, DoD, Air Force, or local laws and regulations which apply to acquisition.

### ***Section 1C—Acquiring Permanent Interests***

#### **1.26. Authority.**

See Title 10 United States Code, Section 2676 for authority to acquire a permanent interest in real property. Usually, this authorization is received by legislation through the annual military construction

and allied programs. MAJCOM's may approve land acquisitions up to \$100,000 each. Send other actions through AFREA/DR for SAF/MII approval. MAJCOMS may acquire real property in fee that costs up to \$1 million or 1,000 acres if the acquisition has been authorized and the funds have been appropriated in a Military Construction Authorization and Appropriations Act. In accordance with the moratorium on major land acquisition in the United States, the Secretary of Defense requires that all proposals for acquisition of 1,000 or more acres of land, or land whose estimated purchase price or annual lease price exceeds \$1 million, must be submitted to the Assistant Secretary of Defense (Economic Security) for review and approval. This also applies if it is an emergency authorization or it is for reserve purposes. Programmed and unprogrammed land costing \$500,000 or less (Minor Land Acquisition) is acquired under the provisions of Title 10 United States Code, Section 2672. **Note: Title XXVIII, Subtitle B, Section 2811 of Public Law 105-85 (Nov 18, 1997), "National Defense Authorization Act for Fiscal Year 1998," raised the ceiling for minor land acquisition projects in 10 United States Code 2672 from the existing \$200,000 limit for such acquisitions to \$500,000. Unfortunately, the Congressional reporting limit for major acquisitions in 10 USC 2662 wasn't concurrently raised. Therefore, until such time as the reporting limit in 10 USC 2662 is raised to \$500,000 per acquisition, minor land acquisitions above \$200,000 to \$500,000 will have to be reported to the House National Security Committee and Senate Armed Services Committee by SAF/LLP through AFREA/DR.**

### 1.27. Programming Acquisitions.

MAJCOMs will identify the scope of land interests that support planned construction that have an estimated acquisition cost of more than \$500,000. Include these requirements in the submission to the MCP. See AFI 32-1021, *Planning and Programming of Facility Construction Projects*, for more information. Include these requirements in the funded portion of each annual Program Objective Memorandum (POM) submittal. See AFI 32-9001, *Acquisition of Real Property*, for more information.

### 1.28. Acquisitions Costing More Than \$500,000.

When acquisitions are going to cost more than \$500,000 the MAJCOM contacts AFREA/DR either by telephone or letter for permission to contact the District Engineer to request that a Real Estate Planning Report (REPR) be prepared. Send a copy of the REPR request to AFREA/DR and the Air Force Civil Engineer Support Agency (AFCESA) at Tyndall AFB, FL 32403-5319. If there has been a REPR previously prepared for a land item, the District Engineer should be asked to reevaluate and update the data, as required.

1.28.1. Once the REPR is received, a DD Form 1391, *FY\_\_ Military Construction Project Data*, is prepared by the installation or the MAJCOM. After preparation of DD Form 1391, use the following procedure:

1.28.2. The DD Form 1391 is sent to HQ AF/CEC for validation and inclusion in the annual MCP submittal to Congress.

1.28.3. The District Engineer will prepare the REPR (7 copies) and send it to the Division Engineer for review. Once approved, the Division Engineer will send it to the Chief of Engineers, Department of the Army who will then send the original to AFREA/DR, one copy to the AFCESA, four copies to the MAJCOM and one copy to the responsible installation.

1.28.4. The base or installation commander then reviews the REPR and tells the MAJCOM of findings within 5 days after it is received. The MAJCOM sends two approved copies of the REPR with pertinent data to AFREA/DR with detailed color-coded maps that show the location of the real property to be acquired.

1.28.5. AFREA/DR may issue real estate directives for acquisitions that cost more than \$500,000 if

authorized and funded in an MCP, including approved scope changes resulting in increases of:

- 1.28.5.1. More than ten percent of acreage or space.
- 1.28.5.2. Twenty-five percent over the cost shown in the MCP project.
- 1.28.6. For changes in scope, see AFI 32-1023, *Design and Construction Standards and Execution of Facility Construction Projects*, for guidance.

### **1.29. Minor Land and Urgent Acquisitions.**

1.29.1. MAJCOMs must send requests for unprogrammed requirements for acquisition of permanent interests in land that cost \$100,000 to \$500,000 (this does not include administrative costs) or major land acquisition requirements that cannot be held for an MCP because the need is "urgent" (10 U.S.C. 2672a) to AFREA/DR for approval. Include the following data:

- 1.29.1.1. Acreage.
  - 1.29.1.2. Real estate interest desired
  - 1.29.1.3. Estimated cost supported by a Brief Real Estate Planning Report (BREPR).
  - 1.29.1.4. Three copies of a color-coded map with a legend that shows the location of the land in relationship to the base or installation
  - 1.29.1.5. Justification on DD Forms 1391.
  - 1.29.1.6. Sketch or drawing showing planned construction.
  - 1.29.1.7. Source of funds for planned construction.
  - 1.29.1.8. Statement as to whether the acquisition is related to a package program or a previously approved, authorized and funded project.
  - 1.29.1.9. Copy of the technical site concurrence letter and statement of criteria, if applicable.
  - 1.29.1.10. Statement concerning the effect on the Air Force mission if the property is not acquired.
  - 1.29.1.11. Include a copy of the lease if the property is currently under lease with a full summary of the terms and conditions for use.
- 1.29.2. AFREA/DR will issue a real estate directive to the responsible real estate agency for real property that costs over \$100,000 to \$500,000. If the scope of the project must be increased, the MAJCOM must request AFREA/DR to obtain SAF/MII approval. AFREA/DR may approve increases in costs due to damages, final negotiated settlements, or court awards and issue supplemental funds through comptroller channels. Any increase in project costs for reasons other than in paragraph 1.26 must be sent by the MAJCOM to AFREA/DR for review.
- 1.29.3. Urgent land acquisitions must be approved by SAF/MII and reported to Congress 30 days before acquisition occurs. (See 10 U.S.C. 2672a).

### **1.30. Options on Real Property.**

Options may be procured on real property that SAF/MII determines to be suitable and likely to be needed for mission support. However, the consideration paid for the option may not be more than 12 percent of the appraised fair market value of the property (see 10 United States Code, Title 2677). A Real Estate Planning Report (REPR) must be used to support the MAJCOM's request to AFREA/DR.

- 1.30.1. SAF/MII will review the most recent inventory of real property assets published by the Resolution Trust Corporation under section 21A(b) (12(F)) of the Federal Home Loan Bank Act (Title 12 United States Code, Section 141a(b) (12) (F)) to determine if any real property listed in the inventory is suitable for use by the Air Force for the purposes for which the real property is sought.
- 1.30.2. Justification must show plans to include the acquisition in the MCP. Options are authorized by SAF/MII and normally procured by AFREA/DR through the Corps of Engineers (HQ USACE).

### **1.31. Gifts of Real Property.**

SAF/MII is authorized to accept gifts of real property for military use. This includes properties for

morale, welfare and recreational activities. Gifts may include permanent or temporary interests in land with or without buildings and structures or improvements which, when constructed and annexed to the land, become part of the property. Under 10 U.S.C. 2601, SAF/MII may accept any gift, devise, or bequest of real property made on condition that it be used for the benefit of a school, hospital, or organization under the jurisdiction of the Air Force. The factors used to accept or reject gifts are found in AFI 51-601, *Gifts to the Department of the Air Force* and AFI 32-9001, *Acquisition of Real Property*.

1.31.1. Offer of gift must be approved and initially accepted **before** any construction begins. The gift is formally accepted (final acceptance) when the construction is completed. Structures constructed on federal land are categorized as real property and, when accepted upon completion, title belongs to the government and the property is reported in the Air Force real property inventory as prescribed in AFI 32-9005, *Real Property Accountability and Reporting*.

1.31.2. No local approval is granted to accept or install a real property gift prior to submission of an offer in the prescribed format and its formal acceptance or rejection by SAF/MII. Procedures pertaining to acceptance of offers of real property are outlined in AFI 51-601, *Gifts to the Department of the Air Force*.

1.31.2.1. If construction is involved, all offers should include or justify why the donor will not provide the following:

1.31.2.1.1. Performance bonds.

1.31.2.1.2. Workmen's compensation insurance.

1.31.2.1.3. Liability insurance against damages to property and injuries to persons caused by the donors, contractors, or agents.

1.31.2.1.4. Surety bonds covering payment for labor and materials going into the donated property.

1.31.3. If the gift offer involves construction, send it to SAF/MII through AFREA/DR. If the construction cost is estimated at \$200,000 but not more than \$499,000, there is a requirement to report such construction to the Office of the Secretary of Defense through Programs channels. If the cost is \$500,000 or more there is a requirement to report the construction to Congress through Programs channels. See DODI 7700.18 (May 12, 1983), Nonappropriated - and Privately Funded Construction Projects Review and Reporting Procedures.

1.31.4. If the gift offer involves construction of a Museum, approval must first come from the USAF Museum, Wright-Patterson AFB OH. In addition, a gift offer of a museum should be coordinated through the Base History Office. That approval and coordination will be forwarded in the package to AFREA/DR.

1.31.5. For comprehensive (master) planning purposes, any proposed construction must be compatible with an approved Base Comprehensive Plan (See AFI 32-7062, *Air Force Comprehensive Planning*), other base construction, and be approved by the MAJCOM. An environmental impact analysis also must be completed as prescribed in AFI 32-7061, *The Environmental Impact Analysis Process*.

1.31.6. When the gift is title to land or any interest therein (with or without improvements), title search is obtained by the MAJCOM to ensure there are no title defects or outstanding liens. Obtain a copy of recent title insurance attorney's title opinion, or abstract from the donor if possible. Do this before submission of the offer of gift to AFREA/DR. See AFI 51-601 for more information.

1.31.7. Close coordination between installation and command Judge Advocate and engineering and services staffs is essential in processing an offer of gift of real property.

### **1.32. Easements.**

The authority and procedures for acquiring easements are the same as for fee acquisition.

### **1.33. Withdrawal of Public Land.**

1.33.1. Comply with the Federal Land Policy and Management Act of 1976 (Title 43 United States Code, Section 1701 et seq.) as well as the Engle Act (Title 43 United States Code, Section 155 et seq.), if the withdrawal of public land for the Air Force project exceeds 5,000 acres. Detailed procedures are outlined in 43 CFR, chapter II, subpart 2310. All withdrawals of public lands in Alaska of more than 5,000 acres also must comply with section 1326(1) of the Alaska National Interest Lands Conservation Act (Public Law 96-987).

1.33.2. SAF/MII must approve all withdrawals of public land and the modification or revocation of withdrawals.

1.33.2.1. Before the Secretary of Interior's final approval, congressional reporting requirements also may be involved.

1.33.2.2. Since land withdrawal is a slow process, allow 5 years for land availability. Due to the provisions of 43 U.S.C. 1732 (b), temporary use permits are not available to federal agencies wanting to use public lands. Withdrawals, rights-of-way, and cooperative agreements are the only methods available to the Air Force for use of public lands.

1.33.2.3. National Environmental Policy Act (NEPA) of 1969, 42 U.S.C. 4321 et seq., requires federal actions, such as real property actions, to be assessed with respect to potential impact on the quality of human environment. See AFI 32-7061 for more details.

1.33.2.4. Send all applications to withdraw public land and requests for temporary use to AFREA/DR to secure the appropriate level of approval. Provide the following information:

1.33.2.4.1. Name and address of the applicant.

1.33.2.4.2. Statement of the authority the Air Force official submitting the application received from the Secretary of the Air Force to act in his or her behalf for the public land withdrawal action.

1.33.2.4.3. Type withdrawal action requested and whether the application pertains to the making, extension, or modification of a withdrawal.

1.33.2.4.4. Location of the area involved, including a detailed description of the exterior boundaries and excepted areas, if any, within such proposed withdrawal, reservation, or restriction (43 U.S.C. 157(2)). Provide a color-coded map that shows the boundaries of the areas concerned and public domain and excepted areas.

1.33.2.4.5. Gross land and water acreage within the exterior boundaries of the requested withdrawal, reservation, or restriction, and net public land, water, or public land and water acreage covered by the application (43 U.S.C. 157 (3)).

1.33.2.4.6. Purpose the land will be used for, or, if classified, make that statement. If the application is for a withdrawal that would overlap, or that would add lands to the one or more existing withdrawals, the application also must contain an identification of each of the existing withdrawals. Including the project name, if any, the date of the withdrawal order, and the number and type of order, if known. A copy of the Land Order will satisfy all these data.

1.33.2.4.7. In the event an existing withdrawal will be overlapped by the requested withdrawal, provide a legal description of the area to be overlapped.

1.33.2.4.8. State the total acreage (federal or otherwise) that will be added to the existing withdrawal, if the new application is approved.

1.33.2.4.9. Describe the extent the lands requested in the application are to be withheld from settlement, sale, location or entry under the public lands laws, including the mining laws, together with the extent and the time lands will be temporarily "segregated." (See 43 CFR, chapter II, section 2310.2.)

1.33.2.4.10. List the type of recommended temporary land use that may be permitted or allowed during the segregation period.

1.33.2.4.11. Provide an analysis and explanation of why neither a right-of-way (43 U.S.C. 1767) nor a "cooperative agreement" (43U.S.C. 1737(b)) would provide for the proposed use.

1.33.2.4.12. Duration of the requested withdrawal. Include proper justification.

1.33.2.4.13. Include a statement if any suitable alternative sites are available for the proposed use or for

the uses which the requested withdrawal action would displace. Include a study comparing the projected costs of obtaining each alternative site in suitable condition for the intended use. Also include projected costs of obtaining and developing each alternative site for uses that the requested withdrawal action will displace.

1.33.2.4.14. Indicate whether water will or will not be needed to fulfill the purpose of the requested withdrawal.

1.33.2.4.15. State the place where records relating to the application may be examined by interested persons.

#### **1.34. Transfer From Another Military Department.**

Real property under the jurisdiction of, and excess to the requirements of another military department may be transferred to the Air Force without compensation under 10 U.S.C. 2571(a). Send requests for transferring property to AFREA/DR. Include supporting data sufficient to obtain SAF/MII approval.

#### **1.35. Real Property Declared "Excess" by Non-DOD Agencies.**

The transfer to the Air Force of government-owned real property that has been reported as excess to GSA is authorized by 40 U.S.C. 483. All transfers must follow the guidelines set in the Federal Property Management Regulations, 41 CFR 101, subchapter H, part 101-47.203-7. Current policy requires reimbursement of 100 percent of the appraised fair market value of the property unless waived by the Office of Management and Budget (OMB).

1.35.1. When it has been determined that excess real property meets an Air Force requirement, the MAJCOM:

1.35.1.1. Asks AFREA/DR to notify a GSA Property Disposal Office within the time limitation specified in the screening letter.

1.35.1.2. Support the request with data to justify acquisition. If this acquisition replaces other real property, include a Declaration of Excess (DE) in the transfer request.

1.35.2. AFREA/DR submits the transfer request to HQ USACE for transmittal to the appropriate GSA Real Estate Sales Office (Atch 13) for federal screening and, if "surplus", for sale. (See AFI 32-9004, *Disposal of Real Property*.)

1.35.3. MAJCOMs, with advance knowledge about real property to be reported as excess by another government agency, may ask for a transfer according to the above procedure, before the real property in question has been reported as "excess" to GSA.

#### **1.36. Recalling Real Property Declared Excess by Military Departments.**

Real property that has been declared excess to Air Force requirements may be recalled by HQ USAF by canceling the disposal directive. SAF/MII approval and congressional notification are required.

1.36.1. HQ USAF may seek to recall real property that has been declared excess to the requirements of another military department by asking the responsible department to cancel its disposal directive.

#### **1.37. Bombing and Gunnery Ranges.**

To acquire land for bombing and gunnery ranges, follow the procedures of this regulation and the standards and guidance prescribed in AFI 13-212V1. *Training Weapons Ranges* and AFPD 13-2, *Air Traffic Control, Airspace and Range Management*.

### **Section 1D—Acquiring Leasehold Interests**

### **1.38. Authority.**

The Air Force is authorized to enter into leases that end within 12 months. These leases may start at any time during the fiscal year and are renewable from year to year at the option of the government. Rental payments are payable when due, provided proper language is in the DOD Appropriation Act for the fiscal year. However, the following guidelines apply:

1.38.1 An economic analysis must be made of all proposals in excess of \$200,000 annually to acquire space or family housing in the United States, in territorial areas administered by the United States, the Commonwealth of Puerto Rico, and in foreign areas. This economic analysis is made to determine if leasing or other acquisition (purchase or construction) is in the best interest of the government. See AFI 65-501, *Economic Analysis*, AFM 65-65-506, *Economic Analysis*, and OMB Circulars No. A-94 and No. A-104 for more information.

1.38.2. All buildings and facilities leased directly by the Air Force must be accessible to the handicapped. This is prescribed in the Architectural Barriers Act of 1968 (42 U.S.C. 4151 et seq.) and the Rehabilitation Act of 1973 (Title 29 United States Code 794). This also includes lease renewals.

1.38.3. Preference will be given to initially leasing buildings which use solar heating and cooling equipment or other renewable energy sources according to the National Energy Conservation Policy Act (NECPA), Public Law 104-66.

1.38.4. Make evaluation of the occupational safety, fire, and health hazards of the building.

1.38.5. An Environmental Baseline Survey (EBS) of the Property to be leased must be made in accordance with Section 1B.

1.38.6. Under the "minor land acquisition" authority, 10 U.S.C. 2672, a firm term lease not in excess of 1 year with four renewal options, may be entered into. However, the cost must not exceed \$500,000 for the term. This cost includes rent, utilities, repairs, alterations, etc.

### **1.39. Lease Acquisitions Within Command Approval Authority.**

When within approval authority, MAJCOMs, at their option, may execute leases and lease renewals, or elect to use the services of the District Engineers, either wholly or partially. This is subject to the following:

1.39.1. Delegated authority must not be used for partial leasehold acquisitions to keep within prescribed monetary limitations.

1.39.1.1. MAJCOMs may redelegate any or all of their leasing authority to intermediate or installation commanders within the guidelines of the appropriate Secretary of the Air Force Order (SAFO).

1.39.1.2. A copy of each acquisition directive or cancellation of a directive, except for leased housing, issued by MAJCOMs (i.e., actions within command approval authority), must be sent to AFREA/DR.

1.39.2. Lease acquisitions for all Air Force recruiting activities must be forwarded through command channels to HQ USAFRS for processing.

1.39.3. MAJCOMs are authorized to negotiate, approve, and execute leases to the United States for Military Family Housing (MFH) facilities, pursuant to the provisions of 10 U.S.C. 2828. This authority may be redelegated in writing to installation officials not below the level of wing commander or base commander. However, the following still is required:

1.39.3.1. A valid family housing deficit must exist, as established by a family housing survey, or the leasing of additional family housing must be justified to the satisfaction of AF/ILEH.

1.39.3.2. MAJCOMs must have AF/ILEH approved "lease points" (i.e., lease allocations) and have funds for the lease requirement.

1.39.3.3. Congressional notification for family housing leases exceeding \$500,000 each in a foreign country must be satisfied before lease negotiations begin. AF/ILEH must notify AFREA/DR when this requirement is met.

1.39.3.4. Do not convert facilities to family housing without statutory authorization, unless they

originally were constructed or acquired as family housing.

1.39.4. MAJCOMs should determine the feasibility of satisfying a proposed requirement by lease or service contract. However, service contracts are not appropriate in acquiring quarters for base permanent party unaccompanied personnel unless the need is short-term or fluctuating (see AFI 32-6005, *Unaccompanied Housing Management and Operations*). Service contracts for nonexclusive space (i.e., nonspecific quarters) are considered appropriate in providing accommodations for transient personnel when there is a shortage of on base transient quarters.

**1.39.5. EXCEPTIONS:**

1.39.5.1. "Build/Lease" projects.

1.39.5.2. "Rental Guarantee" projects.

1.39.5.3. A lease in the United States, Puerto Rico, or Guam for which the rental (excluding the value of special services or utilities furnished by the lessor as part of the rental consideration) would exceed the appraised fair market rental value of the property or 15 percent of the fair market fee value of the leased premises as of the date of the lease, or the rental (including the cost of utilities, maintenance, and operation) would exceed \$12,000 per unit per year.

1.39.5.4. Project in a foreign country for which the estimated annual rental (including the cost of utilities, maintenance, and operation) for any year during the lease term could exceed \$20,000 per unit per year (as adjusted for foreign currency fluctuation from 1 Oct 87, but not adjusted for inflation).

1.39.6. For leasing in foreign areas, see Section 1I.

**1.40. Lease Acquisitions Above Command Approval Authority.**

New leases of real property that fit the categories in this paragraph must be submitted to AFREA/DR for SAF/MII approval, regardless of cost. Renewals of leases that fit any of these categories, which involve a change in scope or cost, also require SAF/MII approval.

1.40.1. The estimated annual cost or value of all spaces or facilities at one location is more than \$500,000. See paragraph 1.17 for Congressional reporting requirements.

1.40.2. Leasehold condemnations.

1.40.3. Real property requiring a Certificate of Necessity.

1.40.4. Land on which construction is to be placed.

1.40.5. Commercial (industrial-type) property.

1.40.6. Permanent acquisition of real property (for the same purpose as the lease) is included in a current MCP, or planned for the next fiscal year's MCP. Also, when an unprogrammed minor land acquisition project for the same purpose as the lease is generated and processed according to paragraph 1.17.

1.40.7. Real property on which a purchase option is desired (10 U.S.C. 2677).

1.40.8. Real property within the limits of a civil airport.

1.40.9. Real property that is subject to "recapture" for government use during a national emergency, or has an applicable reverter clause in favor of the government, except where the use of the property can be obtained for a nominal rental.

1.40.10. Port storage facilities (land or water) at or adjacent to ports, within the local traffic network, related to or affecting the transfer or interchange of cargo between oceangoing watercraft and other transportation.

1.40.11. Real property within the vicinity of Washington, D.C., (National Capital Region).

1.40.12. Real property planned for flying activities.

1.40.13. GSA space (see Section 1G).

1.40.14. Firm term leases longer than 1 year.

**1.41. Procedures for Lease Acquisition Above Command Level Authority.**

1.41.1. MAJCOMs will submit approval requests for renewal of leaseholds, with an estimated annual cost in excess of \$500,000, and all condemnation lease renewals to AFREA/DR at least 10 months before the lease expiration date.

1.41.2. A Lease Planning Report (LEPR) is required if the estimated rental cost for a lease acquisition or renewal is more than \$500,000 annually. AFREA/DR will obtain the necessary approval from SAF/MII and notify the House National Security Committee and Senate Armed Services Committee according to 10 U.S.C. 2662. After congressional notification, AFREA/DR will issue the real estate directive to the Corps of Engineers to acquire the lease.

1.41.3. The MAJCOM must contact AFREA/DR by telephone or in writing for approval to send a directive to the Corps of Engineers Brief Lease Planning Report (BLEPR), if the estimated rental cost for a lease acquisition or renewal is less than \$500,000 annually.

**1.41.4. For all other leasehold acquisitions and renewals:**

1.41.4.1. After AFREA/DR approval, MAJCOMs must submit requests for LEPRs to the appropriate District Engineers. Do this at least 16 months before the lease acquisition is required or renewal date.

**EXCEPTION:** Two years before expiration of 50-year leases, LEPR requests must be submitted to the District Engineer regardless of current rental cost. The District Engineer will determine if a complete LEPR is required. In the case of renewals, the District Engineer will provide the MAJCOM with a LEPR at least 12 months before lease expiration. If a LEPR is not necessary, the Corps of Engineers will provide the MAJCOM with an estimated rental cost for the rental period.

1.41.4.2. The District Engineer sends the prepared LEPR to the Division Engineer for review and approval. If approved, five copies of the LEPR are sent by the Division Engineer to the MAJCOM and two copies to the Chief of Engineers. The Chief of Engineers sends a copy to AFREA/DR.

1.41.4.3. The MAJCOM must use the LEPR to support the initial acquisition and renewal requests to AFREA/DR. Four copies of the LEPR and the supporting data must be included in all lease acquisition requests. The data listed below must be supplied, if the information is not included in the part of the LEPR:

1.41.4.3.1. Description and location of the real property showing gross and net usable square feet.

1.41.4.3.2. Vicinity map that shows location in relationship to the parent installation.

1.41.4.3.3. Complete information on the proposed use of the real property and justification, based on appropriate criteria.

1.41.4.3.4. A description of real property (if any) presently used to meet the requirement, unless this space requirement is new.

1.41.4.3.5. Date possession will be required and the estimated period of occupancy.

1.41.4.3.6. Estimated annual cost of the lease (distinguish between reimbursable and nonreimbursable costs).

1.41.4.3.7. Citation of funds to be used, if known, or a request that funds be made available, and the finance officer responsible for payment.

1.41.4.3.8. Services and utilities to be provided under the lease and any associated costs.

1.41.4.3.9. Statement that screening (paragraph 1.19) has been completed.

1.41.4.3.10. Information to support a Certificate of Necessity as described in paragraph 1.45., if required.

1.41.4.3.11. An evaluation of the condition of all facilities, maintenance requirements, and a technical survey of occupational safety, fire, and health hazards for buildings which have over 20,000 square feet (SF) of usable floor space, or accommodate 50 or more people.

1.41.4.3.12. General description and cost estimates of rehabilitation or alteration requirements.

1.41.4.3.13. Statement as to whether the required facilities are in place of new construction previously requested.

1.41.4.3.14. Environmental impact analysis (AF Form 813 for CATEX, EA, or EIS) of the leasehold action as explained in AFI 32-7061, *The Environmental Impact Analysis Process*, and the results of the

Environmental Baseline Survey (EBS) in the format prescribed by AFI 32-7066.

1.41.4.3.15. Economic analysis, as prescribed by AFI 65-501, *Economic Analysis* and AFM 65-506, *Economic Analysis*, for leasehold acquisitions with rentals in excess of \$200,000 annually for family housing, in lieu of new construction, in the United States, territorial areas administered by the United States, and the Commonwealth of Puerto Rico. Such analysis also is required overseas, where a determination must be made if leasing or acquisition is in the best interest of the government (OMB Circulars No. A-94 and No. A-104).

#### **1.42. Limitations on Rents.**

Except leaseholds acquired in condemnation proceedings, where the amount of the rental is determined by a court, the rental may not exceed the fair market rental value of the property as determined by appraisal. In addition, if the rental to be paid is more than \$2,000 per year, annual rentals must not exceed 20 percent of the fair market value of the leased premises as of the date of the lease. If a lease expires and a new one is entered into for the same premises, determine the fair market value as of the date of the new lease.

**NOTE:** The term "rental," as used in this limitation, means the net rent excluding the value of any special services or utilities furnished by the lessor as part of the rental consideration.

#### **1.43. Limitations on Alteration, Improvement, and Repair of Leased Premises.**

1.43.1. **Fair Rental Consideration Leases.** Cost for altering, improving, and repairing a leased facility may not be:

1.43.1.1. More than 30 percent of the rent for the first year of the rental term.

1.43.1.2. More than 30 percent of the total rent, if the term is less than 1 year.

1.43.2. This limitation applies if a lease includes both land and improvements, whether the expenditures are to the land, the facilities, or both. It does not apply if the lease is for unimproved land, which remains unimproved.

1.43.3. The 30 percent limitation applies throughout the term of the lease. This includes any option year provided for in the original lease. For example, the lease is the customary 1 year with four options to renew. For instance, after total expenditures equal 30 percent of the first year's rent, no additional expenditures are authorized. This is true regardless of the number of firm term or option years that are left in the original term. However, if a new lease is entered into for continued use of the premises, expenditures under the old lease may be disregarded. Under the new lease cycle, more expenditures may be made for alterations, improvements, or repairs until the total cumulative cost equals 30 percent of the first year's rent. For this reason, new leases will normally be entered into every 5 years.

1.43.4. **Foreign Leases.** Limitation is capped at an amount equal to the greater of \$50,000 for the term of the lease or 35 percent of the amount of rent for the first year of the rental term or for the entire rental term, if less than one year. (See paragraph 1.67.5) **Note: This limitation does not apply to leases for military family housing in foreign countries.**

1.43.5. **Nominal Consideration and Rent-Free Leases.** Any alteration, improvement, or repair necessary for occupancy under a rent-free or nominal lease, made at government expense, is considered to be the cost of occupancy. Accordingly, proposed expenditures for these items, plus the amount of any rent during any year of the rental term, may not be more than 20 percent of the fair market value of the leased premises, unless the total cost is under \$2,000 a year. This does not include utilities or services.

1.43.5.1. The cost for altering, improving, or repairing is treated as "rent" under nominal consideration leases. Therefore, \$2,000 or 20 percent of the fair market value of the leased premises, whichever is greater, may be spent each year of the rental term. This does not authorize splitting alteration or construction projects into segments that fail to provide a "complete and usable facility." (See AFI 32-1021, *Planning and Programming of Facility Construction Projects*.)

1.43.5.2. The fair market value of the leased premises is the total value of all the property included in the lease. Even if only one building among several covered by a single lease requires alterations, improvements, or repairs, the total fair market value of all the buildings and property included in the lease, must be used in determining the maximum sum to be expended on that building.

1.43.6. **Exceptions to Limitations.** The limitation on appropriated funds that may be spent for altering, improving, or repairing leased buildings does not apply to the cost of:

1.43.6.1. Items such as installed equipment, machinery, movable partitions, that are detachable and not intended to become an integral part of the building.

1.43.6.2. Restoration at the end of a lease.

1.43.6.3. Repairs needed for continued occupancy because of malicious mischief by government employees or for damages that are not covered by the lease.

1.43.6.4. Alterations and improvements specifically authorized in a Military Construction Authorization Act to be done with funds in a military construction appropriation.

#### **1.44. Certificates of Necessity**

1.44.1. Expenditures for rent, that exceed the 20 percent limitation for rent or 30 percent limitation for alterations, improvements, or repairs, are authorized by a Certificate of Necessity. These Certificates of Necessity must be approved by SAF/MII. However, SAF/MII will verify that the premises covered by the certificate are for military and civilian purposes vital to the national defense mission of the Air Force. Send requests for Certificates of Necessity to AFREA/DR with complete justification. Obtain information to determine that the rental cost will exceed 20 percent of the fair market value from the responsible District Engineer.

#### **1.45. MAJCOM Responsibilities Related to Altering, Improving, and Repairing Leased Premises:**

1.45.1. Make sure a record is kept at base or installation level of alterations, improvements, or repairs for each leased building or portion of a building. This record serves as a basis for determining the need for a Certificate of Necessity when the cumulative total expenditures have reached the allowable limit.

1.45.2. Make sure no work is done or contracted for, when a Certificate of Necessity is required for proposed alterations, improvements, or repairs, until the certificate is at hand. All work undertaken and funds expended must stay within the limitations in the certificate. Additional work desired, but not specified, requires new certification.

1.45.3. Support requests to AFREA/DR for a Certificate of Necessity with a completed DD Form 1391. Prepare this form and include a single line drawing for each request, regardless of the amount of funds needed or prior certificates issued for the same leased facility. Also, identify the cost, scope, and type of work (for example, alteration, improvement, or repair) already done on the facility. Also identify related project work that would not be classified as leasehold improvements such as movable partitions, shelving, etc.

#### **1.46. Payment for Leases.**

Finance offices designated by the MAJCOMs make payment for leases executed by, or for, the Air Force.

1.46.2. The use of real property subject to "recapture" is obtained by negotiated lease. The payment of rental is not authorized during a national emergency under the National Emergencies Act of 1976, as amended (Public Law 99-93, 16 Aug 85). However, payment may be made for using property included in the lease that was constructed, or added to, and paid for by the owner with other than federal funds. Separate payment is authorized for the government's proportionate share of maintenance costs for airport property.

1.46.2.1. Presently, rent may be paid on property subject to recapture. This should be avoided if

possible to prevent criticism that the government is paying twice. Because lease negotiations for property subject to recapture and airport services contracts are interrelated, the Air Force negotiating agent and the MAJCOMs must keep close coordination with the Corps in all contract discussions.

1.46.2.2. The MAJCOM must furnish a copy to the appropriate office of the US Army Engineer District when the fully executed service contract documents are received.

1.46.3. Advance payment of rent, on an annual basis, may be made to states and state agencies. See Comptroller General Decision B-191300, dated March 31, 1978.

#### **1.47. Restoration of Leased Real Property.**

The Army Corps of Engineers (COE) is responsible for restoring leased property when restoration is necessary. Funds will be made available by the Air Force. (See Title 31, United States Code, Section 3324).

#### **1.48. Recording Leases.**

The Air Force, as a rule, does not record all of its inleases in public land records. However, recording may be desirable in instances where the MAJCOM determines that a failure to do so might prejudice Air Force rights under the lease.

1.48.1. In these cases, MAJCOM will request the appropriate District Engineer to record the leaseholds in the public records. Execute and witness all leases or acknowledge according to state or county law to make them eligible for recording. Associated recording costs are chargeable to Air Force funds available for the real property management.

### ***Section 1E—Predesignation of Nonindustrial Facilities for Emergencies***

#### **1.49. Meeting Requirements for Emergencies.**

Installation commanders must have access to sufficient housing, training, and other nonindustrial facilities needed to respond effectively to mobilization surges and other major national emergencies. This is required by Executive Order 11490 (Oct 30, 1969, 34 F.R. 17567). The Installation commanders will:

1.49.1. Identify supplemental nonindustrial facility requirements, the conditions and proposed extent of facility use.

1.49.2. Request facility assignments by applying to the Federal Emergency Management Agency (FEMA) regional director in the area in which the desired facility is located (Atch 5). The regional director will coordinate requests with other federal agencies and state and local emergency planners and resolve any conflicts in facility designations.

1.49.3. Arrange for formal agreement with a facility owner or operator once FEMA has approved the predesignation of a facility.

1.49.4. Maintain records on the assignment and planned use of predesignated facilities as an aid in evaluating installation emergency preparedness capabilities.

### ***Section 1F - Acquisition of Lesser Interests***

#### **1.50. Special Licenses:**

1.50.1. MAJCOMs, at their option, may obtain temporary rights-of-entry, licenses, or lease interests in real property for surveys, field training exercises, testing sites for communications adaptability, testing

water wells, conducting soil investigations, etc. You may elect to use the services of the District Engineer, either wholly or partially, provided these interests and their renewals are for no longer than 6 months.

**NOTE:** Licenses for environmental monitoring may be secured for longer periods, but will not exceed 5 years.

1.50.2. MAJCOMs, similarly, may obtain licenses, in place of clearance easements, to remove or top natural growth protruding into aircraft glide paths that create flight hazards. This authority must be limited to instances where natural growth is the only obstruction and not to remove or reduce the height of structures in the immediate area. Take action to get a license if growth is considered a flight hazard even if a waiver of criteria to natural growth was previously granted.

1.50.2.1. Make the term for the license no longer than the time required to complete the removal or topping. This term must not be for more than 1 year or at a cost of \$500 or more per land tract. Also include the right of ingress and egress, as well as a waiver of restoration costs.

1.50.2.2. The cost of all related work is chargeable to the budget project or program that covers the operation and maintenance of the base. This cost includes payment for the temporary license.

1.50.3. MAJCOMs may acquire licenses in instances where such interests fill the requirement, and a lease or greater estate is not necessary. A few examples are:

1.50.3.1. Short-term use of private roads by government vehicles.

1.50.3.2. Short-term installation or utilities, on or under, a right-of-way.

1.50.3.3. Entering private lands that border Air Force bases or installations at periodic intervals to control mosquitos or other insects, or to dredge or clear privately owned drainage ditches which is in the best interest of the Air Force.

1.50.3.4. Install portable obstruction lights on privately owned properties.

1.50.4. Usually these licenses are issued at no cost or for a nominal fee. Construction, alteration or modification of this type licensed property is prohibited.

1.50.5. MAJCOMs may redelegate any or all of their special license authority to intermediate or installation commanders.

1.50.6. MAJCOMs must provide the appropriate Corps District Office with a copy of all licenses which were not prepared by the Corps. Each copy must be an executed copy which conveys real property interest, including those executed without the assistance of the Corps.

### **1.51. Permits and Licenses From Other Government Agencies:**

1.51.1. MAJCOMs, at their option, may obtain permits or licenses from other government agencies, granting the Air Force exclusive or nonexclusive use of real property under their control. This does not include public lands. You may use the services of the District Engineer, wholly or partially, to obtain such interests, if:

1.51.1.1. The term of the permit or license is not more than 5 years.

1.51.1.2. The real property to be acquired is not more than 100 acres, or does not have an annual fair market rental value, if leased to a private party, exceeding \$500,000. (See 10 U.S.C. 2662.)

1.51.1.3. There will be no alteration, construction, improvement, or modification of facilities made on the real property concerned.

1.51.2. A copy of each executed permit or license must be sent to AFREA/DR.

1.51.3. A permit or license is required if construction, improvement, or modification of facilities is proposed on the real property of another:

1.51.3.1. **Government Agency.** Permits or licenses issued must grant the Air Force exclusive use of such real property for the full period of the requirement unless nonexclusive use or a shorter term is approved by AFREA/DR.

1.51.3.2. **Military Department.** Permits or licenses require AFREA/DR approval. In addition, execute

a joint use agreement.

1.51.4. Permits or licenses from military departments or government agencies having an annual fair market rental value (if leased to a private party) in excess of \$200,000 must be sent to AFREA/DR, who will obtain SAF/MII approval and report the proposal to the Congress (10 U.S.C. 2662) 30 days before it is entered into.

1.51.5. MAJCOMs may redelegate any or all of this ingrant authority to intermediate or installation commanders.

### **1.52. Temporary Interests Beyond Command Approval Authority.**

Requests for acquiring such interests beyond command approval authority must be sent to AFREA/DR for consideration. Requests must be supported by data required in paragraph 1.42. for lease acquisitions.

## ***Section 1G—General Services Administration (GSA) Space***

### **1.53. General Information.**

This section applies to all Air Force activities which require GSA controlled "general purpose" space in the United States, the Commonwealth of Puerto Rico, Guam, and the Virgin Islands. Attachment 3 provides lists of GSA regional offices which have jurisdiction for acquisition of general purpose space in selected urban centers.

### **1.54 Requests for GSA-Owned or Leased Space.**

#### **1.54.1. Approval Authorities.**

1.54.2. Refer all requests for initial GSA space assignment or increases in space assignment from Air Force activities outside the National Capital Region (ONCR) to AFREA/DR for approval, regardless of the annual amount of GSA rent.

1.54.3. Submit requests for GSA space in the National Capital Region (NCR) to the 11th Civil Engineering Squadron Facilities Division, Space Management (SAF/AAOF) for processing.

1.54.4. Requests for leased space which exceed \$200,000 per annum in rent (excluding the cost of utilities and other operation and maintenance services), or any addition to existing GSA space assignment, which results in the rent exceeding \$200,000 per annum for leased space, must be reported by AFREA/DR or SAF/AAOF, as appropriate, to the House National Security Committee (10 U.S.C. 2662) before acquisition may proceed.

1.54.5. The following information is required to support all requests for GSA space:

1.54.5.1. Organizations ONCR, submit SF 81, ***Request for Space***, completed, and a SF 81-A, ***Space Requirements Worksheet***. Organizations inside the NCR use DD Forms 1450 and 1450-1, ***DoD Space Requirements Data***, as well as SF 81, ***Request for Space***.

1.54.5.2. Complete justification for the space by type of GSA space required such as office space, automated data processing space, conference-training space, warehouse storage for example.

1.54.5.3. Date space is required, estimated GSA rent cost per square foot, and anticipated duration of occupancy.

1.54.5.4. Statement that screening of government-owned space revealed no other facilities are available on nearby military installations to satisfy the space requirement.

1.54.5.5. Statement showing whether modification or other improvements to the GSA space will be required.

1.54.5.6. Requests for GSA leased space requiring notification of Congress, under 10 U.S.C. 2662, must

have an economic analysis attached (See AFI 65-501, *Economic Analysis* and AFM 65-506, *Economic Analysis*). Show why leasing, in lieu of new construction, is in the government's best interests. (See paragraph 1.38.1)

1.54.5.7. Provide a geographic statement regarding the selected delineated area for the space. The statement should read as follows;

**"I acknowledge that the delineated area identified in the request is in compliance with all laws and Executive Orders governing the location of space, including the Rural Development Act of 1972, U.S.C. 3122, and Executive Order 12072, August 16, 1978, 3 CFR 213."**

This statement must be signed by the person who signed the SF 81.

1.54.5.8. Requests for increases in the square footage of existing GSA space assignments must specify the total SF now assigned and list the current annual GSA rent.

**NOTE:** Rental rate information may be obtained from AFREA/DR or SAF/AAOF, as appropriate. Show the additional space requested and the resulting increase in GSA rent.

1.54.5.9. Requests for "office" space must include the present use rate (SF per person) for such space and the estimated rate following acquisition of the proposed office space.

## **1.55. Assignment of GSA Controlled Space**

1.55.1. Obtaining Space in "Urban Centers." The GSA is the sole leasing agent for general purpose space in "urban centers". (See attachment 5.) Following AFREA/DR approval, Air Force requests for GSA space in ONCR urban centers are sent to the appropriate GSA regional office (See attachment 3) by the Corps of Engineers, Department of the Army if time permits. Otherwise, AFREA/DR deals directly with the appropriate GSA regional office, but provides information copies of correspondence to the Corps. NCR space requests are sent to GSA by Washington Headquarters Services (OSD), Space Policy and Acquisition Division (WHS-SPAD), on SF 81. GSA then assigns existing vacant space or acquires the space requested. However, under the following circumstances, the Corps of Engineers may obtain the space:

1.55.1.1. The space is leased for no rental or for a nominal consideration of \$1 per year.

1.55.1.2. Authority is granted by GSA to perform these functions.

1.55.1.3. The space is determined by GSA to be wholly or entirely used for the special purposes of the DOD/Air Force ("special purpose space", as shown in subpart 101-18.104-1 of 41 CFR 101) and generally is not suitable for use by other agencies. The GSA regional office, routinely reviews the SF 81 and SF 81-A and determines if the space assignment is economic and allows for efficient activity operation. GSA also provides office layout assistance and standard initial space alterations. In the event of disagreement regarding the assigned space, MAJCOMs or Air Force activities must send full details to AFREA/DR or SAF/AAOF, as appropriate, for resolution of the problem with the GSA regional office.

1.55.2. **Obtaining Space Outside Urban Centers.** The Corps of Engineers, Department of the Army, normally acts as real estate agent for the Department of the Air Force (See AFI 32-9006, *Army and Air Force Basic Real Estate Agreements*) and, responds to Air Force directives for space acquisition. However, MAJCOMs may elect to perform this function without Corps' assistance.

1.55.3. **AFREA/DR or SAF/AAOF Approval.** One of these will advise a MAJCOM, FOA, or Air Force activity when its request for GSA space has been approved. Approved requests for ONCR Air Force activities normally will be processed by AFREA/DR through the Office of Chief of Engineers (HQ USACE) to the appropriate GSA regional office for space assignment. Space requests for NCR Air Force activities are processed by SAF/AAOF to Washington Headquarters Services (OSD), Space Policy and Acquisition Division (WHS-SPAD), which deals with GSA's National Capital Region, 7th

and D Streets, S.W., Washington, DC 20407, for all space assignments.

1.55.4. **Contact With Lessor.** At no time may officials or employees of the using Air Force activity directly or indirectly contact prospective landlords for the purpose of making oral or written representation or agreements relevant to a desired facility, unless authorized to do so by the appropriate GSA regional commercial broker.

1.55.5. **Initial Space Alterations.** GSA will accomplish standard "initial space alterations" normally at no cost to the Air Force. The purpose of these alterations, comparable to those normally provided by the commercial sector for new occupants, is to adapt the space to Air Force activity needs upon initial space assignment. GSA works with the Air Force to occupy the space during progressive steps of design development such as concept phase, tentative design phases, to ensure the design meets Air Force needs. However, the final working drawing phase is the terminal phase for Air Force tenant changes in design, before completion of the construction contract documents.

1.55.6. **Relocation From GSA Space.** In cases where GSA directs an ONCR Air Force activity to relocate from one GSA-controlled facility to another ("GSA forced move"), such relocation may be made without AFREA/DR approval, unless:

1.55.6.1. The annual GSA rent at the new location is more than the charges at the last location.

1.55.6.2. The rent paid by GSA for the space assigned the Air Force is more than \$200,000 a year; this situation requires a report of the facts to the Senate Armed Services Committee and House National Security Committee, according to 10 U.S.C. 2662.

1.55.7. **Space Requirements in Proposed Federal Buildings.** Periodically, GSA asks AFREA/DR for determination of Air Force space requirements in proposed federal buildings to be constructed in various locations of the country. AFREA/DR surveys Air Force requirements with the assistance of the Air Force activities requiring space in determining requirements.

## **1.56. GSA Reimbursable Work.**

Air Force activities in GSA space outside the National Capital Region (ONCR) request work or special services (such as space alterations, guard service, special cleaning service, etc.) directly from GSA. This is done by submitting GSA Form 2957, Reimbursable Work Authorization, to their GSA Building Manager. All work requests for the NCR must be processed by AF activities in the space through SAF/AAOF by use of AF HQ Form 73, Request for Space Services. In regard to alterations, those that will improve utilization will be given first priority. Alterations solely for decorative or nonmission essential purposes are prohibited. After GSA approval of work and return of the form to the requesting Air Force activity for certification of availability of funds for payment, GSA accomplishes the work by government force account ("in-house") or by contract. Following job completion, GSA bills the Air Force requesting activity for payment.

## **1.57. Notification of Changes in Space Assignment.**

Except for GSA space in the National Capital Region (NCR) and space used by Air Force recruiting activities, any change of GSA space assignment must be approved by AFREA/DR (GSA "forced moves" are excepted) This includes initial space assignment and termination of space assignment. Air Force recruiting activities (Regular, Reserve, and ANG) must notify HQ USAF Recruiting Service (HQ USAFRS), of any planned change of assignment of space. All Air Force space assignment changes in GSA space in the NCR are under the control of SAF/AAOF.

## **1.58. Reimbursement for GSA-Controlled Space and Services.**

1.58.1. 40 U.S.C. 490(a)(6) authorizes and directs the Administrator, GSA, to charge anyone furnished services, space, quarters, maintenance, or repairs at rates determined by the Administrator. Charges for

ONCR GSA space are projected every year in budget estimates prepared by AFREA/DR. Budget estimates identify all known or projected changes in GSA space currently occupied by Air Force activities. This includes projected space additions and deletions.

1.58.2. Air Force activities occupying GSA-controlled space are responsible for reimbursing GSA for the following charges:

1.58.2.1. Nonrecurring Reimbursable Charges. These one-time charges include any space alterations required by the using Air Force activity.

1.58.2.2. Recurring Reimbursable Charges. These include additional services required by the user on a continuing basis that exceed the normal 5-day, one-shift operation, such as 24-hour guard service, and overtime utilities, such as heating, venting, and air conditioning.

1.58.3. GSA sends quarterly rent bills as well as a "reconciliation" bill to AFREA/DR for ONCR space and to Washington Headquarters Service (OSD, Space Policy and Acquisition Division ), WHS-SPAD, for NCR space for approval and payment. These bills include adjustments for previous billing errors and changes in space assignments before or during previous quarters.

1.58.4. The requesting or using ONCR Air Force activity must program funds for the "GSA Rent" account for space acquired. Space charges (GSA rents) are paid by HQ USAF or DOD, as appropriate. Charges for reimbursable services, both recurring and nonrecurring, are billed by GSA directly to the activity paying office cited on the GSA Form 2957. MAJCOMs and Air Force activities outside the NCR must take (Program Objective Memorandum (POM) action to adjust their program baseline, Program Element 91294 (AF EEIC 474) to cover their GSA space.

### **1.59. Termination of Assignments of GSA Space.**

Upon determination that the GSA space is no longer needed, the Air Force activity (ONCR) must notify AFREA/DR through command channels of intention to vacate. AFREA/DR authorizes the MAJCOM or Air Force activity to issue a directive to the District Engineer to notify the responsible GSA regional office, in writing, to terminate the space assignment.

1.59.1. Air Force activities in GSA-controlled space in the NCR send notification to SAF/AAOF. In all cases, notification of intent to vacate must be submitted through appropriate channels in time to ensure that GSA receives written notice 120 days before the date on which the space no longer will be needed.

### **1.60. Restoration of GSA Space.**

Normally, GSA, as the owner or lessee of the space, is responsible for funding restoration costs. However, Air Force activities vacating the space may be held accountable for damage to the space above "fair wear and tear." Disagreements regarding fiscal responsibility for space restoration must be sent for resolution to AFREA/DR or SAF/AAOF, as appropriate.

## ***Section 1H—Acquisition of Real Property in Territorial Areas Administered by the United States and the Commonwealth of Puerto Rico***

### **1.61. Procedures.**

In these areas, follow the procedures for acquiring real property in the United States, except that:

1.61.1. All requests for government-owned real property, including public land must be coordinated with the US agency's local representative before sending the request to AFREA/DR for approval. This representative may be from the Bureau of Land Management, Department of Interior, the Department of the Navy, or another agency.

1.61.2. Requests for real property under control of the Federal Aviation Administration (FAA) must be approved by the FAA regional office.

## **1.62. Administration.**

In the Canal Zone, Puerto Rico, the United States, Virgin Islands, and the balance of the Caribbean area, use the services of the Corps of Engineers' local representatives. Send a copy of each executed instrument for acquiring or using real property to AFREA/DR.

## ***Section II—Acquisition of Real Property in Foreign Countries***

### **1.63. Acquisition of Real Property in Foreign Countries.**

1.63.1. In foreign countries, the Air Force must have advance approval of the foreign government by international agreement or arrangement of a clearance for particular missions. See Department of Defense Directive 5530.3, *International Agreements*, and AFI 51-701, *Negotiating, Concluding, Reporting, and Maintaining International Agreements*. United States Forces do not acquire fee title to real property in foreign countries. After host nation approval, the three methods used to acquire real property are:

1.63.1.1. Host nation makes land available under an international agreement with the United States for use, including follow-on construction. This is done usually at no cost. **NOTE:** Construction criteria may not equal United States standards

1.63.1.2. Through international agreement share facilities jointly with host nation military forces.

1.63.1.3. Under international agreement, lease privately owned property for use as schools, chapel, hospitals, commissaries, clubs, theaters, hotels for transient accommodations, recreational areas, administrative space, exchanges, and storage space.

1.63.2. In such cases, leasing is accomplished through Commander in Chief, United States Air Forces in Europe, Commander in Chief, Pacific Air Forces, or the Air Combat Command Commander's directly leasing from private or corporate owners. This can be done also by indirectly leasing through a government agency of the host nation. The lease instrument is modified to fit the local situation in each country, but must include mandatory clauses required by United States law. Lease instruments are prepared in English and the language of the host nation.

### **1.64. Interest To Be Acquired in Foreign Countries.**

The US military rights agreement with foreign countries govern the extent of interest that can be acquired and rights to use real property in foreign countries. See DoD 4500.54G, DOD Foreign Clearance Guide, General Information Booklet, Chapter 7, and AFI 51-701 for more information. Fee acquisition of real property in foreign countries is not permitted. Common real property interests acquired are:

1.64.1. Right of use for a specified period. This is the preferred method.

1.64.2. Lease from, or through, a government agency of the foreign country. The foreign government agency may already possess the property or may acquire the real property for lease to the US Forces. Avoid leases from a foreign government except where the property is in private sector rental market and the foreign government serves as an intermediary.

1.64.3. Lease from a private party if leasing is not prohibited or inconsistent with the foreign military rights agreement.

1.64.4. A lesser interest in the real property, such as an easement or license, may be acquired, if allowed under the laws of the country concerned, provided exclusive use of the real property is not required to fulfill the Air Force mission.

### **1.65. Agreements.**

1.65.1. **Government-to-Government Agreements in Foreign Countries.** These are multilateral or bilateral agreements concluded at the diplomatic level between the United States and the government of foreign countries. They are signed for the United States by a representative of the Department of State. This representative is usually the ambassador to the country or the Secretary of State.

1.65.2. **Foreign Military Rights Agreement.** This is a government-to-government agreement that sets out the mutual understandings reached between the United States and the foreign government on US military rights and obligations in that country. Usually the United States receives the right to use real property in foreign country for specified purposes, for duration of the agreement, or a set term of years with an option to renew.

1.65.3. **Subsidiary Agreements or Technical Arrangements.** These documents are developed at service or military level. They provide, in greater detail, terms, conditions, and scope of operations covered. Usually they are signed by representatives of the US Forces and by host nation Ministers, Secretaries of Defense, or their military representatives.

### **1.66. Policies in Foreign Countries.**

1.66.1. The Department of State is the US Government agency in charge of conducting foreign affairs. The US ambassador or a diplomatic representative to the foreign country usually, with the advice and assistance of the US military authorities, conducts or monitors negotiations for military rights for the US Forces stationed in that country.

1.66.2. Air Force activities with missions in foreign countries must understand that real estate activities are sensitive. Any unauthorized actions to acquire land could possibly prejudice the broad interests of the United States in those countries. HQ USAFE, HQ ACC, HQ AFMC, HQ AFSPC, HQ AMC, and HQ PACAF, are the designated central points of contact for controlling and coordinating all Air Force real estate actions in foreign countries within their geographic areas of responsibility. All real estate projects that are not in the HQ AMC, HQ USAFE, HQ ACC, HQ AFMC, HQ AFSPC, or HQ PACAF areas of jurisdiction must be referred to AFREA/DR for action. However, HQ AFSPC may elect to follow procedures set forth in paragraph 1.73. for their Eastern and Western Test Ranges.

1.66.3. "Piecemeal" acquisitions should be avoided or kept to an absolute minimum in foreign countries.

1.66.4. It is important that acquisition requests are received in time to meet land-need dates. HQ USAFE, HQ ACC, HQ AMC, HQ AFSPC, HQ AFMC, and HQ PACAF must monitor developments closely to help resolve problems without delay. They, in turn, must pass this information on to AFREA/DR and interested participating commands so all are aware of the status and must assist in the acquisition actions. Responsible commands must make sure that requests for foreign lands are processed through proper channels.

### **1.67. General Guidelines for Foreign Countries.**

1.67.1. Land acquisition procedures must be carried out within the framework of existing government-to-government and subsidiary agreements. If real property requirements arise in a country not covered by any agreement, or are outside the scope of existing agreements, the request for acquisition must be sent to AFREA/DR for clearance through diplomatic channels. Send an information copy of the request to HQ USAF/XOOX.

1.67.2. If an Air Force organization with a mission in the HQ AFSPC, HQ AFMC, HQ USAFE, HQ ACC, HQ AMC, or HQ PACAF areas can determine beforehand that an upcoming requirement is not covered by an agreement in those areas, it must send a foreign operating right clearance request directly to HQ USAF/XOOX, with an information copy to AFREA/DR, and a copy to HQ USAFE, HQ ACC, HQ AMC, HQ AFSPC, HQ AFMC, or HQ PACAF, as appropriate.

1.67.3. MAJCOMs may use a certificate of fair market value in lieu of a formal appraisal for leases where the annual rental is less than \$250,000.

1.67.4. Congressional notification is required for family housing leases exceeding \$500,000 each in a foreign country. This requirement must be satisfied before lease negotiations begin. AF/ILEH must notify AFREA/DR when this requirement is met.

1.67.5. Limitation on alterations, improvements and repairs for fair rental consideration leases in foreign countries, is capped at an amount equal to the greater of \$50,000 for the term of the lease or 35 percent of the amount of rent for the first year of the rental term or for the entire rental term, if less than one year. **Note:** This does not apply to leases for family housing.

1.67.6. Proposed alterations, improvements, or repairs of rented premises in any location, to be accomplished from appropriated funds, that are in excess of 25 percent of the amount of rent for the first year of the rental term, or for the rental term if less than a year, require prior approval. The 25 percent limit applies to the total cost of all alterations, improvements or repairs over the life of a lease (not including extensions by mutual agreements or renewals).

### **1.68. One-Year Leases in Foreign Countries.**

HQ USAFE, HQ PACAF, HQ AFSPC, HQ ACC, HQ AFMC, and HQ AMC, are authorized to negotiate, approve, and execute leases of structures and related real property in foreign areas (except "build/lease" projects and family housing units), provided the proposed lease is a 1-year lease, renewable from year to year, by notice, and the annual rental is not in excess of \$250,000 (10 U.S.C. 2675). This authority may be redelegated by MAJCOM commanders to their Assistant Deputy Chief of Staff, Engineering and Services, with no redelegation authority. The MAJCOM may use the services of the Army Corps of Engineers (ACE) or the Naval Facilities Engineering Command (NAVFACENGCOM) but only the Deputy Assistant Secretary (Installations) SAF/MII may delegate authority to negotiate, approve, and execute leases outside the Department of the Air Force.

### **1.69. Firm Term Leases in Foreign Countries.**

1.69.1. In foreign countries the Air Force may lease structures and related real property, other than family housing, for a firm term of no more than 5 years (10 U.S.C. 2675). Leases may be extended in 5-year increments. Approval of SAF/MII is required for all leases or renewals with a firm term in excess of 1 year or a rental over \$150,000 for any 12 consecutive months.

1.69.2. SAF/MII must approve firm term leases for 1 year or more, if the rental is more than \$250,000 per year. SAF/MII approves all "build/lease" projects and all family housing leases having firm term in excess of 1 year. (See 10 U.S.C. 2675 and 10 U.S.C. 2828)

1.69.3. The 5-year leasing authority may be used if:

1.69.3.1. A firm requirement exists for the real property for the full term of the lease; and

1.69.3.2. The rental for the firm term is substantially less than the total rent for the renewable lease each year; or

1.69.3.3. Preliminary negotiations with the owner or a designated representative confirm that the real property cannot be acquired under an annually renewable lease.

NOTE: Exceptions to the foregoing policy may be authorized only by SAF/MII.

1.69.4. **MAJCOM Approval Authority.** In foreign areas, HQ USAFE, HQ ACC, HQ AFMC, HQ AFSPC, HQ AMC, and HQ PACAF have additional authority to negotiate, approve, and execute leases in their assigned areas of responsibility. This does not include "build/lease" projects and military family housing units. This additional authority to negotiate, approve, and execute leases as applicable provided:

1.69.4.1. The proposed lease is a 1-year lease renewable from year to year, whether automatic or by notice, and the annual rental is not in excess of \$250,000:

1.69.4.2. The proposed lease of structures and related real property, that are not located on a military base, has a firm term not in excess of 5 years, pursuant to 10 U.S.C. 2675, and the rental for any twelve (12) consecutive months is not in excess of \$150,000. There must be a firm requirement for the property for the full term of the lease and the rental reserved is substantially less than the total rental for a lease renewable annually, or it is determined conclusively by negotiations with the owner or representative that the property cannot be acquired under an annually renewable lease.

**NOTE:** For more information see paragraph 1.39.

1.69.5. **Leasing AAFES Facilities.** Appropriated funds may be used for leasing structures and related real property that are exclusively required for activities of the AAFES in foreign countries (AFI 65-106, *Appropriated Fund Support of Morale, Welfare, and Recreation and Nonappropriated Fund Instrumentalities*). However, the lease cannot be for more than five years. See Title 10, United States Code 2675. This does not prevent assignment of space in Air Force leased buildings to AAFES. See AFI 34-105, *Programming for Nonappropriated Fund Facility Requirements*, for more information.

1.69.6. An economic analysis must be made of all proposals in excess of \$200,000 annually to acquire space or family housing in the United States, in territorial areas administered by the United States, the Commonwealth of Puerto Rico, and in foreign areas. This economic analysis is made to determine if leasing or other acquisition (purchase or construction) is in the best interest of the government. See AFI 65-501, *Economic Analysis*, AFM 65-506, *Economic Analysis*, and OMB Circulars No. A-94 and No. A-104 for more information.

### **1.70. Advance Rental Payments in Foreign Countries.**

In foreign countries, rentals may be paid in advance, if that is the local custom (10 U.S.C. 2396). MAJCOMs must ask for authorization to make advance rental payments for real property in foreign countries by sending a certificate stating such to AFREA/DR for approval, signed by the commander or a designated representative. The certificate must:

1.70.1. Provide details on the local custom paying rentals in advance for leased real property.

1.70.2. State the period for which advance rental payments are customarily made and support such statement with written confirmation from local government officials or the American Embassy.

**NOTE:** The authorization for advance rental payments applies only until there is a change in the local custom.

### **1.71. Responsibilities of Central Points of Contact for Foreign Countries.**

The central points of contact responsible for real property acquisitions in foreign countries must ensure that:

1.71.1. Rentals paid for leased property are fair.

1.71.2. The leases and other instruments are legally sufficient under local and US laws.

1.71.3. Such acquisitions comply with the terms of the foreign military rights agreement.

### **1.72. Construction on Leased Property in Foreign Countries.**

1.72.1. Where construction, alteration, or improvement of facilities is proposed on real property in foreign countries, leases (including options to renew) must be for a maximum allowable term that is sufficient to give the United States use of real property during the period of the requirement.

1.72.2. If otherwise authorized, construction, alteration, and improvement of leased property in foreign countries is allowed, provided such work is done at the least cost and is consistent with the United States planned requirement and the maximum period of use.

1.72.3. In foreign countries, Certificates of Necessity are not required for lease acquisitions, or for alterations, improvements, or repairs. However, advance approval of AFREA/DR must be obtained if proposed alterations, improvements, or repairs of leased property, to be made from appropriated funds,

are more than \$50,000 or 35 percent of the rent for the first year or the rental term, if such term is less than 1 year. To help AFREA/DR in its decision, data submitted must be sufficient to ordinarily justify a Certificate of Necessity (paragraph 1.44.).

### **1.73. Special Procedures in Geographic Areas.**

All acquisition requests, except as prescribed in Chapter 1, paragraph 1.63.1., must be sent through HQ PACAF, HQ ACC, HQ AFMC, HQ AFSPC, HQ AMC, or HQ USAFE, according to the following guidelines:

1.73.1. The requesting agency must present the proposed real property requirement, supported by the applicable information required by paragraph 1.40, and, at the same time, ask for permission to make a site selection survey.

1.73.2. The responsible command determines whether the requirement can be fulfilled under existing government-to-government agreements or other arrangements with the host country. If the proposed land use is beyond the scope of existing agreements, HQ USAFE, HQ ACC, HQ AFMC, HQ AFSPC, HQ AMC, or HQ PACAF, as appropriate, send the requirements, with complete details and a request for proper action, to HQ USAF/XOXI (copy to AFREA/DR). In the event the requirement falls within the range of existing agreements, the real property acquisition is processed as follows:

1.73.2.1. HQ USAFE, HQ ACC, HQ AFMC, HQ AFSPC, HQ AMC, or HQ PACAF obtains the host country approval for the site selection survey and, at the same time, notifies AFREA/DR of the ongoing action (such notification also applies if HQ USAFE, HQ ACC, HQ AMC, HQ AFMC, HQ AFSPC, or HQ PACAF plan to acquire more land for their own use). After a site selection survey request has been approved, the requesting agency must be notified immediately of the determination.

1.73.2.2. After the survey has been completed, HQ USAFE, HQ AMC, HQ ACC, HQ AFMC, HQ AFSPC or HQ PACAF, as appropriate, must be informed of where the most satisfactory site and selected alternate sites are located, in the order of their desirability.

NOTE: All site selection surveys in foreign countries should include a first choice and at least one alternate location.

1.73.2.3. HQ USAFE, HQ ACC, HQ AFMC, HQ AFSPC, HQ AMC, or HQ PACAF informally discusses the site selections with the proper United States authorities (diplomatic, as well as military) in the country concerned to determine the impact, if any, of the proposed acquisition. They report to AFREA/DR at once, if any unusual or unfavorable problems surface in the course of the informal discussions or site surveys.

1.73.2.4. When agreement is reached on the site selection by the interested United States principals, HQ USAFE, HQ ACC, HQ AMC, HQ AFMC, HQ AFSPC, or HQ PACAF sends a formal acquisition request through established channels to the host country. A copy of the request must be furnished to AFREA/DR, concurrently.

1.73.2.5. Missile range (HQ AFSPC) actions under this paragraph are limited to Range and Range-user requirements in the Up-Range area (north of Brazil).

### **1.74 Acquisitions Outside Overseas Commands' Jurisdiction.**

1.74.1. Real property requirements in foreign countries outside the assigned jurisdictional areas of HQ USAFE, HQ ACC, HQ PACAF, HQ AMC, HQ AFSPC, and HQ AFMC, or not within the scope of existing agreements in those areas, are sent directly to HQ USAF/XOXI, with a courtesy copy to AFREA/DR. HQ USAF/XOXI, in turn, processes the requirements through the DOD and Department of State channels to the country concerned.

1.74.2. All requests for real property must include complete information and justification required by AFI 51-701, as well as this handbook.

1.74.3. The requesting command may not take any independent action that would jeopardize procedures

set by AFREA/DR.

**1.75. Distribution of Real Estate Instruments.**

Send one copy of each executed instrument for acquisition of real property in foreign countries, including rights of use, lease renewals, lease terminations, licenses, supplemental agreements, and supporting data, to AFREA/DR.

## Chapter 2

### USE OF REAL PROPERTY

#### *Section 2A--Real Property Reviews and Studies*

##### **2.1. Reviewing Real Property Holdings.**

In compliance with the Federal Property Management Regulations (41 CFR, subpart 101-47.802) and the responsibilities and levels of authority defined in AFI 32-9002, *Use of Real Property Facilities*, installation commanders and base civil engineers must review real property holdings annually to identify property not being used, underutilized, or not being put to optimum use. Document the results of these reviews and updated the information as required. Use a format similar to the one found at attachment 6 to document the findings of your real property review. The results of the review is examined during periodic MAJCOM staff assistance visits or Executive Order 12512 land use surveys. EO 12512 directs all Executive departments and agencies to conduct utilization surveys of their real property holdings in accordance with standards and procedures determined by GSA. E.O. surveys are conducted to determine real property that is not utilized, underutilized, or not being put to optimum use for mission purposes. For more information on EO 12512 Surveys, see Section 1B of this chapter.

2.1.1. Annual reviews of real property holdings will be monitored by the MAJCOM through RCS: SAF-MII(A)9305, *Annual Real Property Utilization Reviews*. This report provides a means of measuring compliance with survey requirements to identify underutilized, not used, or property excess to Air Force mission requirements. This report will be prepared by installation real property personnel and submitted to the MAJCOM. See AFD 32-90, *Real Property Management*, Attachment 1, for more information.

##### **2.2. Determining If Air Force Real Property is Being Put to Optimum Use.**

A base comprehensive plan must be developed in accordance with AFI 32-7062, *Base Comprehensive Planning*, to provide optimum use of all controlled real property. Consider the following factors when reviewing real property to determine if it is being effectively used:

- 2.2.1. Is the property being put to its highest and best use?
- 2.2.2. Consider such aspects as surrounding neighborhood, zoning, and other environmental factors. Is the present use compatible with state, regional, or local development plans and programs?
- 2.2.3. Consider whether federal use of the property would be justified, if rental charge equivalent to commercial rates were added to the program costs for the function it is serving.
- 2.2.4. Are operating and maintenance costs excessive compared with those of other similar facilities?
- 2.2.5. Will contemplated program changes alter property requirements?
- 2.2.6. Is all of the property essential for program requirements?
- 2.2.7. Will local zoning provide sufficient protection for necessary safety zones if a portion of the property is released?
- 2.2.8. Are safety zones kept to a minimum?
- 2.2.9. Is the present property inadequate for approved future programs?
- 2.2.10. Can net savings to the government be realized through relocation, considering property prices or rentals, costs of moving, occupancy, and increase in efficiency of operations?
- 2.2.11. Have developments on adjoining nonfederally owned land or public access or road rights-of-way granted across the government-owned land rendered the property or any portion thereof unsuitable or

unnecessary for program requirements?

2.2.12. If federal employees are housed in government-owned residential property, is the local market willing to acquire government-owned housing or can it provide the necessary housing and other related services that will permit the government-owned housing area to be released? (Provide statistical data on cost and availability of housing on the local market.)

2.2.13. Can the land be disposed of and program requirements satisfied through reserving rights and interests to the government in the property as it is released?

2.2.14. Is a portion of any property being retained primarily because the present boundaries are marked by the existence of fences, hedges, roads, and utility systems?

2.2.15. Is any land being retained merely because it is considered undesirable property due to topographical features or to encumbrances for rights-of-way or because disposal appears to be unfeasible?

2.2.16. Is land being retained merely because it is landlocked?

2.2.17. Is there land or space in government-owned buildings that can be made available for use by others within or outside government on a temporary basis?

### **2.3. Criteria for Retaining and Excessing Real Property . See AFI 32-9002, Chapter 1.**

#### ***Section 2B–Executive Order 12512 Surveys***

#### **2.4. Preparing for Executive Order 12512 Surveys.**

The Administrator of GSA, under this E.O. established uniform standards and procedures for identifying unneeded federal property. These surveys are conducted by either the General Services Administration or AFREA/MI. GSA reports survey results to the President through the Domestic Policy Council.

2.4.1. E.O. 12512 surveys are limited to fee-owned property and leases and lesser interests located within the continental United States, Alaska, Hawaii, District of Columbia, the Commonwealth of Puerto Rico, and the Virgin Islands. AFREA/MI coordinates logistical and administrative needs for the survey team through the MAJCOM for GSA-lead surveys. GSA sends a formal letter of notification and identifies requirements for the survey to the installation commander.

2.4.2. When you receive notification that your base will be surveyed under E.O. 12512, ensure that the real property review discussed in Section 1A is updated and prepare a comprehensive mission and land use briefing as described in Attachment 6. Appoint a project officer to serve as the single point of contact with the survey team for all phases of the survey. Make sure that the requests for information from the survey team are promptly fulfilled. The development of the land use briefing is very important because this briefing will be used as the basis of decisions that will effect the future of your base.

#### **2.5. Retaining Air Force Real Property.**

Take into consideration if the property is essential to the current or programmed missions. Location of the property is also considered if it is significant to the mission. Property should be retained if it is essential to protect future mission flexibility, operational changes, changes in equipment types, mobilization for national security emergency, or for research or development of future defense or weapons systems. For a more detailed listing, see AFI 32-9002, *Use of Real Property Facilities*, paragraph 1.3. See AFI 32-9002 for the criteria that determines if the Air Force is authorized to retain government-owned, leased real property.

#### ***Section 2C–Using Real Property Facilities***

## 2.6. Managing Real Property Facilities.

Use the guidance found in AFI 32-9002 to determine responsibilities and levels of authority for use of real property facilities. To comply with Executive Order (E.O.) 12411, Government Work Space Management Reforms), installation commanders and base civil engineers must effectively manage real property assets.

2.6.1. This E.O. places increased emphasis on better management of federal government building space. Maintain current accurate data on facility requirements and current facility use to help identify deficiencies and improve the management of space assets on your installation. The Work Information Management System (WIMS), Real Property module provides an electronic file to record this information (EREQ file). This file includes data concerning facility use versus facility requirements and is maintained by the REMO.

2.6.2. If real property data reveals one or more facilities are not being put to maximum use, the REMO, environmental, contract planning office, and the user must make a management analysis of the use. Include the duration or frequency of use, utilities conservation, and cost of any alteration required in the analysis. Present the results to the Facilities Board (FB).

## 2.7. Presentations to Facilities Board.

The BCE must make an annual presentation to the Facilities Board (FB) on facility use in comparison with facility requirements. Use the Real Property Requirements Report generated by WIMS as a tool to help gather this information. This report is generated from the information that has been input into the EREQ file.

2.7.1. **Managing Space.** Installation commanders and base civil engineers must make an effort to compress space assigned to activities to ensure maximum effective use and conformity with standards outlined in AFI 32-1024, *Standard Facility Requirements* and AFH 32-1084, *Facility Requirements*.

## 2.8. Validating and Monitoring Facility Use.

The MAJCOM must validate and monitor facility use and requirements data developed by bases to make sure assets are being effectively used. Make sure that information concerning use of facilities is current and accurate since information in the real property records is used by all levels to make decisions affecting your base.

2.8.1. The real property records must be updated in accordance with AFI 32-9005, *Accounting and Reporting Real Property*. Bases must assign space to activities to conform with guidelines in AFI 32-1024, *Standard Facility Requirements* and AFH 32-1084.

## 2.9. Deactivating and Disposing of Excess Facilities.

If as a result of your facility use review, excess facilities are identified, dispose of them in accordance with AFI 32-9004, *Disposal of Real Property*. If a facility is currently excess to base mission requirements but not considered appropriate for disposal because of a future need, classify the facility as condition code 4 (Sterile/Pickled) on real property records.

## 2.10. Changes In Use.

After determining that the proposed change in use is consistent with the long-range strategy for facility development and is in line with the base comprehensive plan, present the proposal to the FB. Use an AF Form 123, *Request for Changed Use of Real Property* as the supporting document to change the real property records when appropriate. Instruction for completing AF Form 123 are found in Attachment 7.

See AFI 32-9002, Chapter 2 for approval authorities for changes in use.

### **2.11. Conversions and Waivers.**

HQ USAF approval of a conversion project under AFI 32-1022, *Reserve Component Facilities Programs*, volumes I and II, or approval of a waiver or exception to criteria under AFI 32-1024 and the *Standard Facility Requirements Handbook*, automatically includes approval of the conversion or change in use. Approval levels for AFRES and ANG are governed by AFI 32-1012, *Planning and Programming Nonappropriated Fund Facility Construction Projects*. Automatic approvals of a conversion or change in use also apply when a MAJCOM approves a conversion project.

### **2.12. Updating Real Property Records.**

Changes that result from facility use reviews must be promptly recorded in the real property records in accordance with AFI 32-9005, Reporting and Accounting for Real Property and Chapter 5 of this handbook. These records play an important part in determining your base requirements and are the key documents used in management and control of base facility resources.

## Chapter 3

### TEMPORARY USE OF REAL PROPERTY

#### *Section 3A—General Information*

#### **3.1. General Policy for Temporary Use of Real Property.**

Make Air Force owned and controlled real property available for use by others as much as possible. Temporary use must be consistent with peacetime and mobilizations requirements, applicable Air Installation Compatible Use Zone (AICUZ) guidelines, and public safety. Consider real property for temporary use by others when it is not being used by the Air Force or needed at this time for military purposes. Make sure the use does not interfere with the mission or use will not cause substantial expense.

3.1.1. Air Force real property will not be outgranted just because it may be easier to obtain than private property.

#### **3.2. User's Responsibilities.**

3.2.1. Users of Air Force real property must maintain, protect and preserve the property and reimburse the Air Force for utilities and services in accordance with statutes and instructions. This does not apply to:

3.2.1.1. Nonself-sustaining banking offices, subject to space limitations in MIL-HDBK-1190 and AFI 32-1024, **Standard Facility Requirements**.

3.2.1.2. Credit Union offices occupying government space that meet membership requirements. This use is subject to space limitations in MIL-HDBK-1190 and AFI 32-1024.

3.2.1.3. On-base United Service Organizations (USO) facilities recognized by the DoD. See DoDD 1330.12

3.2.1.4. Authorized Private Organization that uses facilities on an occasional basis and use is incidental to other official uses of the facility. See AFI 34-123, **Private Organizations Program**, for more information.

3.2.2. Charge users the appraised fair market rental value if the temporary use does not provide direct installation mission support. However, waive fair market rental if:

3.2.2.1. Use is a grant in connection with a federal-aid highway project or a defense access road.

3.2.2.2. Use is of demonstrable benefits to the Air Force **Note:** 10 USC 2667 requires FMV cash or -in kind consideration.

3.2.2.3. Administrative cost would equal or exceed the charge.

3.2.2.4. Temporary use is a license to a nonprofit, educational, civic or charitable organization, or for a lease to educational institutions.

3.2.3. Waive charges for an educational institution if the services in kind match the fair market rental value. An example of services in kind is reduced rates for education to military personnel and dependents.

3.2.4. Non-federal users of Air Force real property must assume liability for loss or damage to the real property and for third party bodily injury and property damage. The user must demonstrate sufficient financial responsibility to assume these liabilities and procure and maintain at the user's expense, sufficient insurance to cover the liabilities. The requirement for third party liability insurance does not usually apply to voluntary, non-profit associations authorized for operation at an Air Force installation.

However, if the proposed use is of a high risk nature and will expose the Air Force to the possibility of third party claims, do not waive the requirement for liability insurance. An example of a high risk use is a swimming pool.

### **3.3. Priorities for Granting Temporary Use.**

Installation commanders must use the following priorities when assigning unused space on their installations. Make exceptions to these priorities when it is in the best interest of your installation.

- 3.3.1. Appropriated fund activities of DoD components serving as host at the installation
- 3.3.2. Nonappropriated fund activities of DoD component serving as host at the installation
- 3.3.3. Activities of other DoD tenants.
- 3.3.4. Other federal agencies providing installation services such as a post office or Federal Aviation Administration (FAA) at an air field.
- 3.3.5. Other private organizations.

### **3.4. Order of Preference for Granting Temporary Use.**

Use the following order of preference for granting temporary use of real property:

- 3.4.1. Military departments
- 3.4.2. Other federal departments, agencies or activities.
- 3.4.3. State or local government agencies.
- 3.4.4. Non-federal (private) organizations or individuals.

### **3.5. Meeting Stewart B. McKinney Homeless Assistance Act Requirements.**

The Air Force must review the availability of real property for use to assist the homeless in accordance with the procedures developed by HUD and GSA to meet Stewart B. McKinney Homeless Assistance Act requirements. This includes use of surplus or excess land, buildings, or other real property facilities identified by the installation Land Utilization Survey. Do this review before you make real property available to non-federal (private) organizations or individuals. See attachment 24 for Stewart B. McKinney Homeless Assistance Act Procedures. See AFI 32-9002, *Use of Real Property*, and Chapter 2 of this handbook for information on Land Utilization Surveys.

- 3.5.1. Examples of outgrants to non-federal parties that do not fall within the reporting requirement of the McKinney Act are utility easements, public roads, and licenses for short term use. These properties do not involve land which is considered by utilization surveys as unused or underutilized. Proceed with proposed outgrants of this nature in accordance with standard operating procedures.

### **3.6. Competitive Bidding.**

Make reasonable effort to obtain competitive bidding through advertising before granting Air Force real estate for private use. This gives all qualified persons such as former owners, adjacent property owners, equal opportunity to bid for use of Air Force real property. This also obtains the benefit that results from competition, and prevents criticism that favoritism has been shown. As a rule, the Corps of Engineers handles this advertising. However, MAJCOMs and installations REMO are authorized and may advertise the availability of Air Force real property for outgrant.

- 3.6.1. Waiver of competition is authorized for the following actions:
  - 3.6.1.1. Former owners or their tenants may be given an opportunity to obtain the first lease of the real property that is available for grazing or cropland purposes. Leases may be granted by negotiation with each former owner or tenant for a maximum of one 5-year term. After the original outlease expires, grant subsequent leases by competitive bidding.
  - 3.6.1.2. Granting leases, licenses, and easements to state, county, or local government agencies, and

public utility companies.

3.6.1.3. Granting permits to other federal agencies.

3.6.2. Waivers of competition are authorized when it is conclusively demonstrated that competition is impracticable or when leasing to a selected lessee will be in the public interest or promote national defense. Examples are when there is only one available lessee due to lack of access. All waivers of competition must be approved by AFREA/DR and supported by a statement as follows:

“To the best of their knowledge and belief, no personnel of the Air Force who are responsible for the prospective outgrant have any present or anticipated personal or financial interest in the outgrant. No personnel have received any gift or gratuity in connection with the proposed outgrant.”

3.6.3. Leasing of government real estate to a civilian employed by a military department or military personnel of the Armed Forces is not prohibited by law. However, take care to avoid real or apparent favoritism. Grant leases to Federal Government personnel only after competitive bidding under the sealed bid method.

### **3.7. Commercial Advertising.**

Do not post notices, erect billboards or signs for private purposes on Air Force real estate.

### **3.8. Public Safety.**

Do not use Air Force lands, buildings and improvements, contaminated with explosives, hazardous or toxic materials, or other innately or potentially harmful elements for nonmilitary purposes when it will endanger the lives of individuals or the public. Complete an Environmental Baseline Survey in accordance with AFI 32-7066, *Environmental Baseline Surveys in Real Estate Transactions* to assess the risks, if any, due to the potential for past contamination.

### **3.9. Fair Market Rental Value.**

Appraised fair market value must be obtained from the sale or use of federally owned real property. Except where otherwise authorized in paragraph 3.52, consideration of either money or services received must be substantially equal to the appraised fair market rental value of the outgrant real property.

### **3.10. Unoccupied Land.**

Installation commanders will make unoccupied land that meets the criteria for retention available for public recreation, beautification, or for soil and wildlife conservation programs to the maximum extent possible. Grant public access to military installations for the use and enjoyment of natural resources for hunting, fishing, and other outdoor recreation except when Air Force mission specifically requires temporary or permanent suspension of public access.

## ***Section 3B—Meeting Environmental Requirements***

### **3.11. Environmental Protection.**

The user will comply with all federal, state and local laws, regulations, and standards concerning environmental protection and pollution control and abatement. Include an environmental protection provision in all outgrant instruments.

### **3.12. Compliance With Environmental Laws.**

Consider and document environmental effects of proposed Air Force real property actions through AF Forms 813, EAs, FONSI, EISs, EIS Records of Decision (ROD), and documents prepared according to Executive Order (EO) 12114. Include an environmental impact analysis for all outgrant actions in accordance with AFI 32-7061, *The Environmental Impact Analysis Process*. Generally the AF 813, *Request for Environmental Impact Analysis*, is prepared by the Environmental Management office. Include the AF 813 as an attachment to the Determination of Availability report. Certain real property outgrants may qualify and be covered by one of the express categorical exclusions (CATEX) authorized in AFI 32-7061. However, the mere fact that the proposed outgrant transaction is of such an environmentally insignificant nature by itself, is not a basis for foregoing an environmental assessment of the impact of the action.

3.12.1. REMO Assures that the Environmental Section has provided a statement of findings (Certificates) of the results of an Environmental Baseline Survey in accordance with AFI 32-7066, *Environmental baseline Surveys in Real Estate* conducted by the outgrantee of the Air Force proponent.

3.12.1.1. Ensure that outgrant is in compliance with the Clean Air Act Amendments of 1990. A statement of air conformity must be provided or waived in writing. This statement must address the locality (attainment or non-attainment), even in the waiver. See AFI 32-7040, *Air Quality Compliance*, for more information.

3.12.1.2. Furnish a Notice in any contract for the sale or other transfer of Government property as follows:

3.12.1.2.1. Type, quantity, and time frame of any storage, release or disposal of hazardous substance on the property or provide notice that no hazardous substance, petroleum products or their derivatives, activity have taken place on the property.

**NOTE:** This must be included for all Air Force outgrants.

### **3.13 Outgrants for Storage and Disposal of Non-DoD-Owned Hazardous or Toxic Materials.**

DoD policy does not allow use of Air Force real property for the storage or disposal of non-DoD-owned hazardous or toxic materials unless an exception is granted. This exception is granted by the Deputy Assistant Secretary of Defense (OASD), (Environment). See AFI 91-201, *Explosive Safety Standards*, for more information. The storage, disposal, transportation, and rendering safe of non-DoD-owned hazardous or toxic material reported or discovered in areas outside of an Air Force installation is primarily the responsibility of civil authorities. Submit request for waiver or exception to this policy through MAJCOM to AFREA/DR for consideration. See 10 United States Code Section 2692, *Storage, Treatment and Disposal of Nondefense Toxic and Hazardous Materials for more information and a listing of policy exemptions*.

### **3.14. Flood Plains and Flood Hazard Evaluation.**

Air Force agencies must consider flood plains and flood hazards when outgranting land and facilities. Encourage the most limited use that is compatible with the degree of hazard involved. Do not authorize use of lands in flood plains for occupancy purposes or for any other use that may be uneconomical, hazardous, or unnecessary. Handle any outgranted Air Force real property located in flood plains according to AFI 32-7064, *Integrated Natural Resources Management* guidelines. See Executive Order 11988, *Flood Plain Management*, for more information

### **3.15. Considering Wetlands.**

When outgranting temporary use of government-owned wetlands to nonfederal public or private parties, indicate in the outgrant instrument uses restricted under federal, state, or local wetland regulations. Attach other appropriate restrictions on use of the property by the grantee. Use AFI 32-7064 for

guidance when outgranting Air Force real property located in wetland areas. The inclusion of wetlands on lands in the flood plain in an Air Force outgrant requires the preparation of a Finding of No Practical Alternative.

### **3.16. Endangered Species.**

The Endangered Species Act of 1973 declares the intention of Congress to conserve threatened and endangered species of fish, wildlife, and plants, and the ecosystems on which species depend. We have the duty to carry out programs for the conservation of endangered and threatened species or habitats located on installations. Consult with the Fish & Wildlife Service to ensure that outgrants do not jeopardize the continued existence of a listed endangered species or result in destruction or adverse modification of the critical habitat.

3.16.1. Avoid environmentally sensitive areas when determining if Air Force real property is available for outgrant. Outgrants must be coordinated with the MAJCOM and installation natural resources managers. Environmental documentation should address whether the proposed action or activity will jeopardize the habitat of any endangered or threatened species of fish, wildlife, or plants.

### **3.17. Historic and Cultural Environment.**

If a building or site qualifies for historical property status, the National Historic Preservation Act requires the Air Force to take steps to preserve and protect historic features during use and management. The Archeological Resources Protection Act directs that artifacts and objects of archeological or cultural significance found on Federal property must be protected.

3.17.1. The Determination of Availability must address any specific limitations or conditions. Discuss the results of the Air Force consultation with the State Historic Preservation Officer relating to the historic features of the real property proposed for outgrant. Take caution when allowing outgrants through or near archeological sites. Outgrant documents must provide that the grantee will stop activities on Air Force land when a discovery of archeological or cultural material is discovered and seek advice of the Installation Commander before proceeding. The grantee will not disturb any archeological site or object discovered on Air Force real property.

3.17.2. **Archeological Surveys.** The Secretary of the Air Force is authorized to allow museums, universities, or other recognized scientific or educational institutions properly qualified to enter the installation by Permit for the purpose of archeological surveys to:

3.17.2.1. Examine ruins.

3.17.2.2. Excavate archeological sites

3.17.2.3. Gather objects of antiquity. See AFD 32-70 for more information.

3.17.3. **Request to Search for Treasure Trove.** The Administrator of GSA prepares contracts and provisions necessary to protect interests of the government in searches for and sales of treasure trove located on federal lands. See 40 U.S.C. 310 for more information. All searches and sales authorized by GSA are subject to the Act for the Preservation of American Antiquities (16 U.S.C. 432) and the Archeological Resources Preservation Act. Allow searches for treasure troves such as coins, wrecked or abandoned property, gold, silver or bouillon only after Air Force concurs.

### **3.18. Coastal Zone Management.**

The Coastal Zone Management Act directs all Federal agencies involved in activities directly affecting the coastal zone of the State to conduct activities according to approved State coastal zone management programs. 16 United States Code 1453 exempts federal lands from the definition of the coastal zone. It does not exclude federal lands from mandatory compliance. 16 United States Code Section 1456 requires federal agencies to carry-out their activities and development projects and issue permits,

licenses and other authorizations to conduct activities “consistent to the maximum extent practicable” with approved state programs.

3.18.1. Applications for grants to use Air Force real property that affect land or water uses in the coastal zone of a State will include a certification that:

3.18.1.1. Proposed activity authorized by the outgrant complies with the State’s approved coastal zone management program

3.18.1.2. Activity will be in accordance with all Federal, state and local laws and regulations.

3.18.2. An activity on an Air Force installation that affects land or water uses in the coastal zone of a State and is not in accordance with an approved State management program, will be exempted from this certification requirement only if the Secretary of Commerce, on his own initiative or on appeal of the applicant, determines that the activity is:

3.18.2.1. Consistent with the objectives of the Coastal Zone Management Act.

3.18.2.2. Necessary in the interest of national security.

### **3.19. Air Installation Compatible Use Zone (AICUZ) Evaluation.**

All Air Force outgrants should be compatible in terms of noise, accident potential and height obstruction criteria as identified in the AICUZ Handbook DoDI 4165.57, and AFI 32-1026, *Planning and Design of Airfields*, and AFM 32-1013V2, *Planning Criteria and Waivers for Airfield Support Facilities*.

### **3.20 Nondiscrimination in the Use of Air Force Real Property.**

Grant the use of Air Force real estate without regard to race, creed, color, religion, sex, age or national origin. Include nondiscrimination and equal opportunity clauses as follows:

“The lessee will not discriminate against any person or persons or exclude any persons from participation in the lessee’s operations, programs, or activities conducted on the lessor’s premises, because of race, color, age, sex, handicap, national origin or religion. The lessee, by acceptance of this lease, gives assurance that the provisions of Title VI of the Civil Rights Act; the Age of Discrimination Act of 1975; the Rehabilitation Act of 1973; and the Department of Defense Directive 5500.11, will be complied with.”

## ***Section 3C—Procedures for Granting Temporary Use***

### **3.21. Responsibilities of MAJCOM.**

After the criteria in Section 3A has been met, submit the following requests for temporary use of real property to AFREA/DR:

3.21.1. Outleases of Air Force real estate for banking offices, credit unions (over 5 years), or military family housing. Process all lease actions for banks and credit unions through comptroller channels in addition to engineering channels.

3.21.2. Outlease or license of Air Force real property for any purpose if the government received more than \$200,000 in revenue or services per action, per year.

3.21.2.1 Under Title 10 United States Code, Section. 2662(a)(3), the Air Force must send a report to the Senate and House Committees on Armed Services before granting a real property lease or license if the estimated annual fair market rental value is more than \$200,000, regardless of the actual amount of money to be received.

3.21.3. Easement when the proposed term exceeds 50 years or there is an option to renew for an additional 5 years.

3.21.4. Waiver of the policy requiring competition. See paragraph 3.6.

3.21.5. Use of Air Force real property for a religious purpose. This includes religious schools.

**3.21.6. Privately Sponsored Competitive Events.** Send information copies of approval or disapproval to use active or inactive Air Force Installations for privately sponsored competitive events to AFREA/DR at least 30 days before the event. This authority may be redelegated to the installation commanders for minor competitive events such as local model airplane contests, local soap box derbies and local athletic events. Each request must state the name of the sponsors of the event. Sponsors must agree to the following:

3.21.6.1. Event will be at no expense to the Air Force. Any damage to Air Force real property will be repaired at the sponsors expense.

3.21.6.2. Execute a "hold harmless" agreement and obtain adequate insurance coverage.

3.21.6.3. Air Force equipment or personnel will not be required to prepare for or conduct the event.

3.21.6.4. Make adequate arrangements for policing, fire protection, and first aid.

3.21.6.5. No charges for admission or other fees such as parking fees, or admission tickets will be used.

3.21.6.6. That the event will have no adverse effect on the performance of the installation mission.

NOTE: This condition does not apply to "Special Events and Benefits" authorized by the Base Commander under AFI 36-3101 where fund raising is permitted

### **3.22. Delegating Authority.**

Delegate authority, as appropriate, to intermediate and installation commanders, Base Civil Engineers and their Real Estate Management Office (REMO) to execute all real estate outgrant actions within their approval authority. Designated officials, may at their option, request the District COE to negotiate and issue the outgrant of new or current outgrants. Follow the policies set forth in AFI 32-9003, *Temporary Use of Air Force Real Property*, and this handbook.

3.22.1. Advise HQ AFESC/DEMB of any request for a outgrant by a utility company prior to the execution of the requested action. Ongoing contemplated utility rates management actions may be affected by such actions.

### **3.23. Responsibilities of Installation Commanders.**

Installation commanders with MAJCOM approval and authorization may make Air Force real estate available for use by others through the Installation Real Estate Management Office (REMO). Installation Commanders may:

3.23.1. Grant a license for office and warehouse space for use by the American Red Cross.

3.23.2. Grant and issue licenses or permits of a minor nature or short duration orally or in writing when actions by the non-Air Force party in the absence of permission would result in a trespass. Examples are, a license for one-time use or for public relations purposes, or a permit to a federal sponsor in support of a community service program. See AFPD 35-2 for more details.

3.23.3. Grant and revoke licenses to military and civilian personnel through the MFH office for the use of space for privately owned mobile homes. See AFI 32-6001, *Family Housing Management*, for more information.

3.23.4. Grant a license for temporary occupancy of unoccupied barracks by national organizations when such occupancy does not conflict with the installation mission. Examples are veterans and youth organizations, for state or national conventions, scout jamborees, athletic or recreational tournaments.

3.23.5. Grant a license or contract (within installation commander approval authority and SAF/MII approval over \$200,000) for construction of temporary structures as stipulated within the specification of a construction or service contract for the period of the contract. Examples are offices, storage sheds, shops and utilities.

3.23.5.1 There must be a provision that the structure or building will be removed when the contract expires. Also, the license or contract must state that the ownership of the structure cannot be transferred to any other party except the federal government. Any structure that is suitable for military use may be

relinquished to or become the property of the United States, at no cost. This is done at the termination of the license or contract in lieu of restoration if it is determined that it is in the best interest of the government.

3.23.5.2. If the structures are of no use to the federal government, the contractor must remove them from the installation at his expense. The site must be restored to its original condition when the license or contract expires. The contractor must make application to the installation commander if the structure or utility is to be used for any purpose other than the fulfillment of the contract so that an appropriate real estate instrument may be processed.

3.23.5.3. Contractor-owned wheeled trailers used for offices, storage sheds, shops or utilities can be used in place of a structured facility. However, policy does not authorize the construction or acquisition of any building, facility or utility either temporary or permanent. This type construction or acquisition must be done in accordance with policies set forth in AFI 63-701, *Managing Industrial Facilities*, and AFI 32-9001, *Acquisition of Real Property*. In no instance will a legal real estate document authorizing the use of Air Force land or building space be overridden by a contract or other agreement. Also, before AF real property is made available for use by a contractor, close cooperation is required between the installation REMO and the contracting office.

3.23.6. Grant license for space for a minimum of 5 years to operate a credit union office in government-owned buildings or space to operate a nonself-sustaining bank.

3.23.7. Grant use of space by license for the U.S. Postal Service.

3.23.8. Grant use of real property for nonappropriated fund activities.

3.23.9. Grant use of space by license for private organizations and other membership associations.

3.23.10. Review all outleases 9 months before expiration date and notify lessee. If the Air Force real property is still available for temporary outlease, process the request for renewal of the outgrant as outlined in AFI 32-9003 and this handbook. Send requests to AFREA/DR 6 months before the expiration date if AFREA/DR approval is required.

3.23.11. MAJCOMs and Installation REMOs develop a computer file to maintain records of ingrats and outgrants to monitor lease expiration dates.

### **3.24. Inspecting Outgrants.**

Inspect all outgranted Air Force real estate. Use ENG Form 3131, *Report of Compliance Inspection of Army and Air Force Property Occupied Under Lease, License, Easement or Permit*, or companion document ENG Form 3560, *Report of Compliance Inspection-Outgrants* or a similar AF Work Information Management System (WIMS) document as backup when submitting the forms to the District Engineers Office (COE). Obtain the forms from Any District COE office. These forms are also available for download from the US Army Corps of Engineers internet web site - [www.usace.army.mil](http://www.usace.army.mil). Make inspections to insure the grantees are complying with the terms and conditions of the outgrant instruments.

3.24.1. Conduct compliance inspections annually. Do inspections more frequently when real property is leased for agricultural or grazing purposes or leased or licensed for commercial use. Ensure that maintenance, protection, use and development of the premises are in accordance with the terms and conditions of the outgrant.

3.24.2. Compliance inspections must address adequate maintenance and repair, condition of the premises, environmental protection, AICUZ guidelines, additions, alterations, protection from fire and safety hazards, or any unauthorized use or transfer/assignment of interest.

3.24.3. **Unsatisfactory Compliance Inspections.** When an inspection finds unsatisfactory compliance and corrective action is recommended, complete ENG Form 3131. The REMO sends a similarly prepared backup document from the WIMS system to the COE through the MAJCOM indicating instances of noncompliance. The MAJCOM and COE takes corrective action and obtains grantee

compliance. MAJCOMs and installation REMO keeps copies of compliance inspections as part of the real property records.

3.24.4. **Correcting Violations.** Either the MAJCOM or installations must take action to correct violations and instances of noncompliance when the MAJCOMS or installations are the office of record. However, the District COE office uses the prepared WIMS document as backup to the ENG Form 3131 and 3560 and takes action on COE outgrants for noncompliance.

### 3.25. Unauthorized Use of Real Property.

When real property under Air Force jurisdiction is being used or occupied by private parties without proper authority, take corrective action to discontinue the unauthorized use. If feasible take action to formalize use and occupancy by issuance of an outgrant according to AFI 32-9003 and this handbook. Private party must make compensation to the Air Force for the period of unauthorized use. This does not limit the authority of the installation commander to remove trespassers from Air Force real property.

### 3.26. Role of Army Corps of Engineers (COE).

With the exception of leases, licenses and permits of a minor nature which are within the authority of the installation commander, the COE usually acts as agent for the Air Force to grant by permit, lease, easement or license the use of Air Force real property within the U.S. and its possessions. **Note: MAJCOMs and installations, at their option, may now execute real property outgrant actions within their approval authority or may still use the services of the COE all or partially. For real property overseas, see Section 3K of this handbook. MAJCOMs or installations REMOs may request the COE or installation contracting offices to conduct or contract for appraisals of Air Force real property to be outgranted.**

3.26.1. If the MAJCOM or installation REMO prepares the outgrants when approval or execution is reserved for SAF/MII or higher authority, forward the outgrant through the MAJCOM to AFREA/DR. If the COE prepares the outgrant, COE District Office will forward the document to OCE for referral to AFREA/DR for execution.

3.26.2. The applicable District COE office is responsible for administering the terms and conditions of outgrants. MAJCOM and the installation must maintain close coordination with the serving district COE office in discharging that responsibility. **EXCEPTION: This does not include compliance inspections that will be performed by the installation REMO.**

3.26.3. The District COE is responsible for maintaining records and submitting periodic reports, collecting payments and terminating or revoking actions as directed by the Air Force. **Exception: This does not include payments collected by installation commanders in connection with functions delegated.**

3.26.4. Outgrants are revoked only after specific approval by SAF/MII.

3.26.5. The District COE coordinate with MAJCOM and installation REMOs when approving additions to, or alterations of installation properties being used under an outgrant. Also, the District COE maintains a record of additions or alterations for use to determine restoration obligations. The District COE must furnish the MAJCOM copies of changes to instruments or reports to the MAJCOM and installation REMO.

3.26.6. The District COE prepares legislative jurisdiction assemblies for retrocession to the State in connection with the grant of easements for public right-of-way granted under 40 U.S.C. 319-319c.

3.26.7. **Custody of Real Estate Legal Documents.** The COE is the custodian of legal documents that pertain to Air Force real estate located in the U.S. and possessions. This includes documents administered by MAJCOMs or installation REMOs. These documents relate to leasing, acquisition, disposal or management of the temporary use of Air Force real estate.

3.26.7.1. If the Air Force executes legal documents identified above, provide a signed copy to the

servicing District COE office. However, the COE will only charge a unit cost for COE related real estate documents. All MAJCOM and installation related real estate instruments will be charged to administrative overhead only. Copies of COE executed documents must be furnished to the MAJCOM and installation REMO upon request. See AFI 32-9006, *Army and Air Force Basic Real Estate Agreements*, for more information.

### **3.27. Requests for Right-Of-Entry.**

Request for rights-of-entry before consummation of an outgrant may be sent to the District COE office when applicable. Rights-of-entry are accomplished by the MAJCOM or installation REMO when within approval authority. Rights-of-entry will only be approved in case of real urgency and after all necessary clearances have been obtained. The rental, terms and conditions of the proposed outgrant must have been agreed on. Before a right-of-entry is issued, make a preliminary determination that the outgrant will probably be approved by Air Force officials.

### **3.28. What to Include With Requests of Outgrants.**

For outgrants of real property, the directive to the COE or requests to higher headquarters for approval must provide sufficient information to determine the merit of the directive or proposal. Include the following as a minimum:

- 3.28.1. Describe the facilities and the amount of acreage to be outgranted. Include a map delineating the area and show the relationship to the remainder of the installation.
- 3.28.2. State the availability of the real estate requested and the reasons it is not being declared excess.
- 3.28.3. State the proposed use of the real estate.
- 3.28.4. State how long the Air Force real property will be used by the grantee. Recommend termination and cancellation provisions. Include provisions for restoration or removal of improvements in the outgrant.
- 3.28.5. State special conditions, limitations or restrictions on use and occupancy under the outgrant.
- 3.28.6. State that it has been determined that the proposed outgrant will not interfere with the installations mission and give reasons.
- 3.28.7. State it has been determined that the real property is safe for nonmilitary purposes. If this statement cannot be made, explain the extent and type of contamination of land or building with explosives or hazardous and toxic substances. Give the reason that an outgrant should be approved despite the contamination.
- 3.28.8. If there is a requirement for the grantee to relocate or replace a facility, include the following in the request.
  - 3.28.8.1. Continuing military need for the facility.
  - 3.28.8.2. Master plan layout showing the proposed grant and location of the relocated or replaced facility.
  - 3.28.8.3. Facts on the financial arrangement for the facility
  - 3.28.8.4. DD Forms 1391 and 1391c.
- 3.28.9. All actions must include an environmental impact analysis of the proposed action according to guidance in AFI 32-7061, Chapter 8 and Section 3B of this handbook. Prepare an EBS in accordance with AFI 32-7066, *Environmental Baseline Surveys in Real Estate*. See paragraph 3.12 for more information.
- 3.28.10. Action must be coordinated with the MAJCOM and installation natural resources managers. Include statement if the proposed action or activity will jeopardize the habitat of any endangered or threatened species. See Section 3B, of this handbook.
- 3.28.11. Request through AFREA/DR for OASD (Environment) exception to the policy for the storage and disposal of non-DoD-owned hazardous or toxic materials or waste on Air Force Installations. See

Section 3B, of this handbook.

- 3.28.11.1. Include a discussion of alternative solutions and explain the critical need.
- 3.28.11.2. Include details of safe and environmentally sound procedures to be followed to protect Air Force personnel and real property in the event a favorable decision is made to allow the storage or disposal of non-DoD-owned toxic or hazardous material.
- 3.28.11.3. Include assurance that any non-DoD authority that uses AF real estate for the storage or disposal of such material gets all necessary permits and meets appropriate financial requirements.
- 3.28.11.4. Include assurance that the non-DOD authority prepares required environmental documentation to store and dispose of hazardous materials to the extent required by law, before using Air Force real property. The real property must be returned in its original condition. The land or disposer may be required to reimburse the Air Force for decontamination and post closure costs associated with use of the real property.
- 3.28.12. All grazing and cropland outgrants must include land use regulations based on an approved Grazing and Cropland Management Plan. See AFPD 32-70. Submit renewals of grazing and cropland outgrants 12 months before lease expiration. Programmed invitations for bids for new grazing and cropland leases must provide sufficient time for processing the outgrant request and planning by the lessee.
- 3.28.13. Include requirements regarding the grantee's liability insurance or insurability of property including type and amount of coverage.
- 3.28.14. Include a statement of indemnification and that the grantee will hold and save the U.S. harmless from all claims arising out of the use of the property. Exception is made for state, county or local government agencies when prevented by law from providing such indemnification.
- 3.28.15. State the type of outgrant being sought.
- 3.28.16. Include a statement indicating compatibility of proposed outgrant with AICUZ guidelines.
- 3.28.17. Include a statement as to whether the affected property qualifies for nomination to or is listed on the National Register of Historic Places. See AFI 32-7065, *Cultural Resources Management*, Chapter 3, Section B, and AFI 32-7064, *Integrated Natural Resource Management*, for more information.
- 3.28.18. If the Air Force lands are located in the flood plain, a flood plain evaluation will be required. See Section 3B for more information.
- 3.28.19. If the Air Force property includes wetlands or portions of wetlands, follow guidance in Chapter 3, Section 3B and AFI 32-7064.
- 3.28.20. Include a statement whether the property use or activity is consistent with an approved State Coastal Zone Management Plan, if applicable. See AFI 32-7064
- 3.28.21. Include justification for granting a waiver of competition if applicable.
- 3.28.22. Include any other information or conditions significant to the determination of availability not listed above.

### ***Section 3D—Granting Temporary Use by Lease***

#### **3.29. Leasing Objectives.**

Air Force real property not currently needed for public use may be leased for any legitimate nonfederal use consistent with approved Air Force policy and statutory authorizations on terms that promote the national defense or in the public interest. Reasons supporting outleasing that have the most widespread applicability are as follows:

- 3.29.1. Use promotes the national defense or national economy or is in the public interest.
  - 3.29.1.1. Air Force real property is not being used or is underutilized and there exists a potential for

productive, nonfederal use that is compatible with the mission of the installation by leasing.

3.29.1.2. Leasing will assist the local economy or improve public relations in the area.

3.29.2. Maintains and protects Air Force real property according to current or future Air Force requirements with a minimum expenditure of appropriated funds:

3.29.2.1. Achieved savings of O&M funds by leasing, placing obligation and expense of ordinary maintenance and utilities on the lessee.

3.29.2.2. More savings should be achieved when it is possible to placing the obligation for directed long-term maintenance on the lessee as part of the consideration of the lease.

2.29.2.3. Improved land management by leasing as grazing land and cropland should be evaluated.

2.29.2.4. Evaluate leasing land for grazing/cropland uses when appropriate

3.29.3. Obtains maximum cash return to the U.S. consistent with the objectives in Section 3A. The total compensation to the government, including maintenance and other services, will be no less than fair market rental value.

3.29.4. Except in cases where Air Force has been delegated authority to carry out disposal of Air Force base closure properties, real property and associated personal property which has been determined to be excess, as a result of a defense installation realignment or closure, real property may be leased to state or local governments pending final disposition by GSA. This can be done if the Air Force determines that leasing will facilitate state and local economic adjustment efforts. Obtain concurrence of the Administrator of GSA through AFREA/DR.

**NOTE:** The Air Force engages in an aggressive interim leasing program under authority of 10 U.S.C. 2667(f), at installations identified for closure under special acts of Congress.

### **3.30. Lease Term.**

A lease term will not exceed 5 years unless SAF/MII determines that a lease for a longer period promotes the national defense or is in the public interest. Leases for longer periods of time may be granted through AFREA/DR for the following:

3.30.1. Leases for parcels of land that require a long term but not exceeding 25 years, to amortize the cost of public school construction or to meet Department of Education requirements.

3.30.2. Leases for parcels of land for construction of banks and credit union not to exceed 25 years. The length of a lease must agree with the value of the proposed improvements. See AFI 65-701, *Banking Services on Air Force Installations and AFI 32-702, Credit Unions on Air Force Installations*

3.30.3. Lease for a bank or credit union for space in an existing building. This may be for a term in excess of 5 years when improvements made by the bank or credit union will be amortized over a longer period through offsets to rental.

### **3.31. Revoking a Lease.**

Include a clause in the lease that allows SAF/MII to revoke the lease at will unless it is determined that the omission of this clause promotes the national defense or is in the public interest. A lease that does not contain a Revocable at Will clause must have a provision allowing termination by the Secretary of the Air Force, in the event of a national emergency declared by the President or the Congress of the United States or if the real property is required for a military purpose or national defense. Leases may give the lessee the first right to buy the property if the lease is revoked to allow the U. S. government to sell the property under another law. Send requests for revocation of leases through the MAJCOM to AFREA/DR. Include full justification with the request.

### **3.32. Lease Consideration.**

As a rule, leases will provide for payment in cash or in kind by the lessee of consideration of not less than fair market rental value. Determine the amount by appraisal prepared by private contractors or by

the COE. In certain cases, leases may provide for improvement, maintenance, protection, repair or restoration, by the lessee as payment of part or all of the consideration. Proceeds generated from outleases of non-excess property under the authority of Title 10 United States Code, Section 2667 will be deposited into the Special Fund Receipt Account 975189.57.

### **3.33. Deposit of Consideration.**

**3.33.1.** Deposit all money rentals received into a special account in the Treasury established for the Air Force. **NOTE: This does not include amounts paid for utilities and services furnished by the Air Force** See paragraph 3.34. Fund deposited in the special account of the Treasury will be available to the Air Force as follows:

3.33.1.1. 50 percent will go to the installation where the leased property is located for facilities maintenance and repair or for environmental restoration

3.33.1.2. 50 percent will be available for facilities maintenance and repair or environmental restoration for the Department of the Air Force.

3.33.2. Deposit consideration from rentals from grazing and cropland outleases into the Air Force Grazing and Cropland Fund. Revenues from mineral leasing are collected and distributed by DOI/BLM and Mineral Management Service (MMS)

### **3.34. Deposit of Monies for Utilities and Services.**

When the lease specifies that the Air Force will furnish utilities or services, deposit payments into an account to credit the appropriations from which the cost for furnishing the utility or service was paid. Written agreements and rates to be charged to the lessee will be according to AFI 32-1061.

### **3.35. Leases and Licenses for Mineral Development Purposes.**

AFREA/DR is the point of contact for all mineral exploration and extraction on Air Force controlled lands. See DoD Directive 4700.3, Mineral Exploration and Extraction on DoD Lands, Sep 28, 1983.

3.35.1. The Department of Interior, Bureau of Land Management (BLM), has the authority to dispose of mineral interests owned by the U.S. BLM is solely responsible for entering into and administering mineral leases for leaseable minerals such as coal, phosphate, sodium, oil, oil shale, native asphalt, solid or semisolid bitumen and bituminous rock, gas on government land. Leases are issued by competitive and noncompetitive bidding.

3.35.2. Exploration or extraction of certain hard rocks minerals on public domain lands known as locatables is not allowed. MAJCOMS and installations may process the disposal of salable minerals such as embedded sand, gravel and stone minerals without the underlying land. Underground water is classified as a salable mineral, however, any sale of underground untapped water must be approved by AFREA/DR. See 41 CFR 101-47.302-2(a)(3). The Air Force is not authorized to dispose of water on public domain lands.

3.35.3. BLM may submit mineral lease offers and title report requests to the installations for processing. The Air Force will determine whether the installation lands can be made available for exploration and development of mineral resources. BLM can grant a lease for mineral development on Air Force controlled land only with the concurrence of the Air Force. The availability for mineral lease is subject to conditions, limitations or restrictions (including the prohibition of surface entry) necessary to make exploration and extraction compatible with military operations and national defense activities.

3.35.3.1. AFREA/DR forwards all MAJCOM or installation justification for non-availability determination or refusal to consent to mineral leasing to SAF/MII. An information copy is forwarded to the Director, BLM, Washington, DC.

3.35.3.2. All requests for licenses for mineral exploration received by the Installation Commander will

be referred to BLM State office for appropriate action.

3.35.4. All MAJCOMs and installation REMOs make sure that stipulations to protect the Air Force mission and environment are included in all mineral leases. See attachment 8 for standard mineral lease stipulations. Lands situated within incorporated cities, towns, and villages are not available.

3.35.4.1. All MAJCOMs obtain information relating to ownership of mineral rights from the appropriate installation or district engineer about the land requested for mineral leasing. Show detail where drilling can be allowed and give conditions under which the land is available. Submit the information directly to BLM state office if leasing action is approved. MAJCOMS will provide technical assistance to the installation for the review of requests for licenses, leases and plans of operations for geophysical testing, exploration and extraction.

3.35.4.2. MAJCOMs must furnish available environmental and cultural information to BLM upon request.

3.35.5. The installation commander can approve licenses through the installation REMO for seismic or other geophysical testing. If the authority has not been delegated to the installation REMO, the MAJCOM will approve. The installation REMO monitors the activity.

3.35.5.1. The installation commander must notify the MAJCOM and AFREA/DR immediately of any oil operations within one-quarter mile, or gas operations within one-half mile of any Air Force Installation boundary. Forward the following information when practicable to protect the Air Force against loss from drainage of subsurface oil and gas deposits under Air Force lands resulting from activities on adjacent lands:

3.35.5.1.1. Three copies of a real estate map that indicate existing or proposed oil and gas wells. Include distance from the Air Force installation.

3.35.5.1.2. Identify location on the installation where drilling operations may be conducted without interfering with the Air Force mission.

3.35.5.1.3. Include the name of the private enterprise that is conducting oil or gas operations and any other pertinent data.

3.35.6. The REMO will ensure compliance with all outgrants and provide written notification of any noncompliance items to the outgrantee. If the outgrantee fails to comply within the given time frame (usually three days), the installation REMO will notify BLM and the MAJCOM of the violation.

3.35.6.1. The lessee must obtain BLM approval to abandon a well. BLM will not approve final abandonment until the installation advises it is satisfied with the reclamation work. The installation may assume responsibility for a well with fresh water if funds are available to reimburse the lessee for recoverable casing and wellhead equipment used only for the conversion to a water well. The lessee will still be responsible for completing surface cleanup.

### **3.36. Taxation of Leased Air Force Real Estate.**

The lessee's leasehold or use interest in certain leased Air Force real property may be subject to state and local taxation. See 10 U.S.C. 2667(e). The lease may provide for renegotiation, if and to the extent that the Federal Government's interest in the real property (as opposed to the lessee's leasehold interest) is made taxable by state and local governments by an Act of Congress.

### **3.37. Lease Insurance.**

All leases that provide for lessee's occupancy and use of improvements will require the lessee to insure improvements for their full insurable value (replacement cost), where practicable, as an assurance that the improvements may be available for future Air Force use. Waive this requirement for the following reasons:

3.37.1. Improvements were acquired incidental to acquisition of the land and serve no existing need to the Air Force.

3.37.2. The lessee occupies only a portion of the building.

3.37.3. The building or facility has little insurable value and the nature of the proposed use presents no significant risks.

### **3.38. Cost Related to Use of Air Force Real Property.**

All outleases of Air Force real property for the purpose of construction require the lessee to pay all costs associated with the use of land. This also applies to outleases for schools, bank buildings, credit unions, and other similar purposes. The cost includes investment items such as clearing the property, providing utility connections, constructing access roads, driveways, parking lots, and sidewalks and paying utility and maintenance costs, unless otherwise provided by law or by AFREA/DR.

### **3.39. Restoration of Air Force Real Estate.**

All outleases of Air Force lands or facilities will require the lessee to remove the property of the lessee upon expiration or termination of the outlease. The lessee must return the real property to its original condition. This includes all improvements. If the lessee fails or neglects to remove its improvements and restore the leased property, the Air Force may either accept title to the improvements at no cost, or remove these improvements and charge the restoration costs to the lessee. Outleases should include a provision for the lessee to repair, at lessee's expense, all damages to Air Force real property caused by the lessee's use. If the lessee fails to do this, the Air Force has the right to charge the lessee for all costs associated with the repair or replacement of the property damaged or destroyed. This provision may be waived by SAF/MII. Send circumstances and justification to waive this provision through the MAJCOM to AFREA/DR.

### **3.40. Assignments and Subleasing.**

Do not reassign or sublease outleased real property without AFREA/DR approval. All outleases must include a provision that enforces this policy.

### **3.41. Leasing Excess or Surplus Real Property.**

Under the Federal Property and Administrative Services Act of 1949, as amended (40 U.S.C. 471 et seq.), the General Services Administration (GSA) has general supervision and approval over leasing excess and surplus real property. GSA regulations allow the temporary placement of excess or surplus real property in productive use by lease. This may be done if the use does not interfere with, or delay disposal of the real property. An interim lease of excess or surplus property will not exceed a 1-year period and must be made revocable on 30 days notice. All requests for leasing such real property will be sent to AFREA/DR for action

3.41.1. **Outlease for Sanitary Landfill Projects.** No Air Force land will be made available to local communities for sanitary landfill purposes. When a request has special merit and the installation has no further military requirement for the requested land, process a Declaration of Excess as required by AFI 32-9004, *Disposal of Real Property*.

### **3.42. Leasing Excess and Surplus Air Force Real Property for Economic Readjustment Purposes.**

3.42.1. Interim outleasing of excess or surplus Air Force real property on a selective basis may assist in the economic recovery of the community impacted by an installation realignment or closure without adversely affecting the disposal. Send all requests for such outleasing to AFREA/DR for processing. All proposals must meet the following requirements:

3.42.1.1. Leases can only be issued to state or local governmental bodies for the purpose of recovery

from an adverse economic impact caused by the installation inactivation, closure, or realignment.

3.42.1.2. The term of the lease and renewals may not exceed 1 year and instrument must be revocable by the Air Force with 30 day written notice.

3.42.1.3. Fair market value will be charged.

3.42.2. Value of improvements, maintenance, repair, protection, or restoration provided by the lessee under terms of lease may be credited as an offset to the rent. Any capital improvements made by the lessee may also be credited against the lease rental consideration. However, capital improvements placed on excess real estate by the lessee will not be applied as credit in any subsequent disposal actions.

3.42.3. Provide utilities and other services only on a reimbursable basis. Base utility rates on the rate setting policy under AFI 32-1061, *Providing Utilities to US Air Force Installations*.

3.42.4. With GSA concurrence, rent above the cost of care and custody may be waived by SAF/MII for nonprofit use that promotes public safety, health, education, welfare, aviation, recreation, or other public benefit purposes.

3.42.5. The lessee's responsibility for protection and maintenance extends only to the real property covered by the lease. Police and fire protection generally available in the community are not a factor in determining the amount of rent to the government.

3.42.6. Make lessee aware that interim leasing does not constitute a disposal commitment by GSA.

3.42.7. Family housing is not covered under this paragraph but will be considered under protection and maintenance service contracts or leasing on a case-by case basis. All such requests must be sent to AFREA/DR for processing

3.42.8. At installations identified for closure under special acts of Congress where the Air Force is delegated authority to act as disposal agency, the Air Force will engage in an aggressive interim leasing program under authority of 10 U.S.C 2667(f).

### **3.43. Leasing for Grazing and Cropland Purposes.**

Leasing land for grazing and cropland purposes support conservation and management of natural resources. These leases must implement the approved Grazing and Cropland Management Plans and land use plans developed in accordance with AFI 32-7064, *Natural Resource Management*. Incorporate land use regulation as part of the lease. The REMO, in cooperation with the environmental or natural resources planner, must make compliance inspections of the outlease as the representatives of the Base Civil Engineer.

3.43.1. The land use regulations will include the provision for improvement, maintenance, protection, repair, or restoration of the property by the lessee as part or all of the consideration for the lease. The land must be returned to the Air Force in as good or better condition than when initially leased.

3.43.2. All grazing and cropland outleases will normally have a 5-year term and based on competitive bidding. Base the unit of payment on a per-acre charge for cropland leases and on an animal unit months per acre charge for grazing leases. The lease may include provisions for the stipulated work to be performed by lessee as an offset to rental (for example, cost per linear foot of fence, cost per cattle guard, cost per stock pond). This bidding schedule requires the MAJCOM to submit a government estimate of the value of the work requirements to be performed by the lessee.

3.43.3. All stipulated work will be designated to support the Grazing and Cropland Management Plan and does not include any other type work that is not identified in this plan. Generally, stipulated work will be an offset to rental if the work is as follows:

3.43.3.1. Performed on the leased premises, or the entire rental unit or installation where a substantial part of it is leased

3.43.3.2. Direct benefit to the installation in its authorized mission, as distinguished from desired programs, or in furtherance of the Air Force leasing program.

3.43.3.3. Generally related to the lessee's use of the leased property

3.43.4. When all of the criteria in paragraph 3.43.3 have been met, the following are examples of stipulated work activities that may be authorized:

3.43.4.1. Control of erosion.

3.43.4.2. Conservation of natural resources.

3.43.4.3. Maintenance of the viability of the land for continued leasing such as mowing, weed control, seeding, fertilizing, mulching, crop rotation, selected cutting, and soil conservation measures such as terraces, check dams, wells, springs, ponds, open channels, or culverts for drainage, fire breaks, fencing, and cattle guards.

3.43.5. If the fair market rental payment is more than the value of the offset for the stipulated work, the excess cash payment will be deposited in the installation account established to cover the expense of administering the grazing and cropland leasing program.

3.43.6. Lessee may be required to support recreation and welfare, fish and wildlife, beautification, and aesthetic programs. This includes the cost of establishing and maintaining recreation, swimming and fishing areas, wildlife habitats, food plots and similar activities when such activities to be offset are in furtherance of the installation Natural Resources Plan.

### ***Section 3E—Granting Temporary Use by Licenses and Permits***

#### **3.44. License Authority.**

A license grants the bare authority to do a specific act or series of acts without acquiring any estate or interest in the property. The principal effect of a license is to authorize an act, which in the absence of a license, will constitute a trespass. A license does not grant exclusive possession to the licensee. The license is personal to the licensee and, therefore, the rights conferred by the license, cannot be assigned or transferred to another party.

#### **3.45. Licenses Granted Under Express Statutory Authority.**

3.45.1. Licenses are granted under express statutory authority where a lesser right for temporary use of Air Force real property is required or under the administrative powers of SAF/MII. Licenses must be revocable at will. The proposed use must be in the public interest, or directly benefit the U.S. The Secretary's general administrative power is utilized to issue the license when unusual situations arise that involve activities for which no specific statutory authority exists.

#### **3.46. Consideration.**

Licenses require the payment of monetary consideration. However, no charge will be made if the licensee is a nonprofit organization, or a state, county, city or other political subdivision or instrumentality of the government, and the real property is used for a public purpose. Deposit monies received by the government directly from a license into the U. S. Treasury as miscellaneous receipts.

3.46.1. **Deposit of Monies for Utilities and Services.** When the license specifies that the Air Force will furnish utilities or services on a reimbursable basis, deposit payments for these services into the account to credit the appropriation from which the cost of furnishing the utility or service was paid. Written agreements and rates to be charged for utilities furnished to the licensee must be in accordance with AFI 32-1061, *Providing Utilities to US Installations*.

#### **3.47. Term of Licenses.**

Limit the term to the period necessary to accomplish the purpose for which the license is granted. In no event should the term exceed 5 years.

### 3.48. License Insurance.

**3.48.1.** All licenses providing for use and occupancy of installation buildings and improvements will require the licensee to insure the improvements for full insurable value, (replacement cost), if practicable, to make sure that the improvements will be available for future Air Force use. This requirement may be waived if :

3.48.1.1. The improvements were acquired as an incident to the acquisition of the land and serve no existing need to the Air Force.

3.48.1.2. Licensee occupies only a portion of Air Force buildings.

3.48.1.3. Building or facility has little insurable value and the nature of the proposed use presents no significant insurable risks.

3.48.2. In addition, require the licensee to carry third-party insurance for accidental death, personal injury, and property damage. The requirement for liability insurance may be waived if the licensee is a cooperative group of a fraternal, civic, or welfare nature. This waiver must be in writing and executed by the official authorized to approve the license. Review each request for a waiver thoroughly in order to evaluate the risks inherent to the proposed use.

### 3.49. Licenses Granted Under Administrative Authority.

Examples of licenses issued under administrative authority are as follows:

3.49.1. **Telecommunication Service.** Outgrants are required for the use of Air Force real property when telecommunication service is provided by a Non-Air Force organization. Initiate a Determination of Availability. The COE, AFREA/DR, MAJCOM or installation commanders and their respective MAJCOM and installation BCEs and REMOs have the authority to execute outgrants. Therefore, submit all requests for the use of Air Force real property for telecommunication services through REMO to the appropriate authority. This applies whether the request is contained in a contract or provided for by an outgrant. MAJCOMs or installation REMOs maintain a copy of the executed outgrants or contracts.

3.49.2. **Pay Telephones.** The right to solicit and award nonappropriated fund contracts, or to directly provide public phone services on Air Force installations has been assigned to the Army and Air Force Exchange Service (AAFES). This includes ANG and USAFR locations in the United States and its territories.

3.49.3. **Telephone Cable.** The preferred method for outgranting the use of Air Force real estate to telephone companies for all deregulated (competitive) service is the incorporation of a revocable license into the service contract prepared in accordance with the Federal Acquisition Regulation (FAR). The contracting office that awards the contract for service has the authority for execution of these contracts. Coordinate requests for outgrants with the base communications officer. The MAJCOM, the installation REMO and the contracting office maintain a copy of the outgrant and contract. Include a revocable at will clause by authority of SAF/MII.

3.49.3.1. Do not charge the local exchange companies (LEC) for the use of Air Force real property when official telephone service is provided for the installation only.

3.49.3.2. Charge the LEC fair market value for use of existing Air Force real property facilities. This includes supporting structures such as poles, conduit and manholes. Waive this charge when it is in the best interest of the Air Force. An example of when it would be in the best interest to waive this charge is where the cost of telephone service delivered within the installation far exceeds the charge for LEC to make use of existing Air Force real property facilities. Additionally, if the base is subject to the campus rule (in which a LEC may have the option to declare a minimum point of presence at the base fence line), the base may find that charging the LEC could result in LEC "abandonment" of all on-base infrastructure responsibility. In light of this, an imposition of charges should be carefully considered

and coordinated with appropriate base, MAJCOM, and Air Staff communications offices, prior to any communication with the LEC.

3.49.3.3. Do not charge the LEC to install its own cables or other supporting structures to provide unofficial service on the installation since the Air Force wants the telephone service to be furnished to unofficial customers on base. Examples are family housing, officers club and AAFES facilities.

3.49.4. **Licenses to Use Materials From Borrow Pits.** A license to take materials from borrow pits located on Air Force lands may be granted without charge to a state or other political subdivision for constructing or maintaining roads within the Air Force installation. If a license is for using materials on roads outside the installation primarily for the benefit of the installation and the general public, the license is without charge. If there is no privately-owned source available, removal of sand, gravel, stone or other construction materials by private contractors who are working off base contracts not primarily for Air Force benefit will be accomplished by a lease at fair market value.. This authority applies only to common variety minerals and does not cover any of the specific natural resources disposed of under Federal Mineral leasing laws.

3.49.5. **Licenses to Store Non-DoD and DoD Hazardous Materials and Wastes.** All requests by DoD or non-DoD agencies and departments to store hazardous materials or waste must be thoroughly reviewed through AFREA/DR and USAF/CEV channels. It is basic policy not to grant licenses for such uses except for those requests that qualify for exceptions stated in paragraph 3.12.

3.49.6. **Facilitating Access to Federal Property for the Siting of Mobile Services Antennas.**

3.49.6.1. On 10 August 1996, the President issued an executive memorandum directing the heads of all departments and agencies to facilitate access to federal property for the purpose of siting mobile service antennas and equipment. The initiative was repeated in the Telecommunications Act of 1996 (Section 704). Interested parties have been advised by the General Services Administration (GSA) to contact installation commanders for permission to site commercial antennas on Air Force bases. To ensure no adverse impacts to Department of Defense systems (i.e., compatible operations), commanders shall coordinate requests for placement of new telecommunications antennas on Federal property with the Joint Spectrum Center (JSC) (DSN 281-2555 or Commercial 410-293-2555). The JSC will evaluate the proposed antenna siting for potential electromagnetic interference to the existing or planned telecommunications operations of the affected government facility. The requester will be required to reimburse the JSC for the costs of this evaluation under the authority of 10 USC, Section 2539b. The JSC shall inform the installation commander of the results of the assessment in order to assist in making the decision whether to grant the request. In addition, the following should also be considered when reviewing a siting request:

3.49.6.1.1. Whether the installation can accommodate such sitings.

3.49.6.1.2. How many sitings can be accommodated.

3.49.6.1.3. What restrictions and conditions should be attached to a siting permission

3.49.6.1.4. The amount of fee to be charged for the grant of use of Air Force property

3.49.6.2. The siting of mobile service antennas should not be given priority over other authorized, or projected future authorized, uses of Air Force property. If you determine that you can support this function, we must do so on a fair, reasonable, and nondiscriminatory basis. To assist the decision process, the following must be considered:

3.49.6.2.1. The siting must comply with federal, state, and local laws.

3.49.6.2.2. The siting must be consistent with national security concerns (including minimizing mutual electromagnetic interactions).

3.49.6.2.3. The siting will be subject to Air Force regulations.

3.49.6.2.4. The antennas cannot contain any advertising.

3.49.6.2.5. The antenna will be subject to removal at the end of service.

3.49.6.2.6. Requests for sitings can be subjected to competitive allocation if there is not sufficient room

to accommodate all applicants

3.49.6.2.7. Successful applicants can be charged fees based on the market value for such siting (unless otherwise prohibited by law.

### **3.50. Licenses Issued Under Express Statutory Authorities.**

**3.50.1. Civil Air Patrol (CAP).** Under Title 10 United States Code, Section. 9441, the CAP serves as a volunteer civilian auxiliary of the Air Force. The Secretary of the Air Force is authorized to allow the CAP to use Air Force services and facilities considered to be needed to carry out the CAP mission.

3.50.1.1. The organization of the CAP and logistical support provided by the Air Force are prescribed by AFI 36-5001, *Organization and function of the Civil Air Patrol*. Office space may be assigned for USAF-CAP liaison officers and their authorized staff.

3.50.1.2. CAP unions such as wings, groups, squadrons, may be granted a license to use available Air Force facilities for meetings, training, storage of equipment and supplies. Licenses to the CAP are issued without monetary consideration and utilities may be provided the CAP without charge. Further, maintenance and repair of buildings and facilities on the installation occupied by CAP may be at Air Force expense if the buildings and facilities are required for future use by the Air Force.

3.50.1.3. Obligation of appropriated funds to acquire real property for CAP units is not authorized. However, real property facilities excess to the needs of any military department may be transferred to the Air Force for CAP units if the retention or transfer involves no expense to the Air Force. USAF-CAP liaison officers and staff are active duty Air Force personnel or civilian employees, therefore, a license is not required for them to occupy space.

**3.50.2. National Guard.** Under 32 U.S.C. 503, the Secretary of the Air Force is authorized to allow the National Guard to take part in encampments, maneuvers, and outdoor target practice for field or coastal defense instruction. This includes authority to grant revocable licenses to states for temporary use and occupancy of military installations (or portions) by state National Guard for any official authorized activity. Do not grant a license to a state to erect a permanent National Guard Armory on a military reservation without construction funds and specific congressional authority. However, the Air Force may grant an indefinite term license of Air Force controlled real estate to a state for Air National Guard purposes.

**3.50.3. American National Red Cross (ARC).** Licenses are granted to the ARC without consideration.

3.50.3.1. Under Title 10 United States Code, Section 2670, the Secretary of the Air Force is authorized to grant revocable licenses or lease to the ARC to erect and maintain buildings on a military installation suitable for storing supplies or occupancy to aid the civilian population in case of national disasters.

3.50.3.2. The ARC may be issued a lease to construct buildings for administration or club purposes under the provisions of 10 U.S.C. 2667.

3.50.4. Under Title 10 United States Code, Section 2602, the Secretary of Defense is Authorized to furnish ARC available office space, warehousing, wharfage, and means of communication without charge. The ARC may use office space and warehousing in government-owned buildings without charge and with a real estate instrument. See AFI 36-3105, *Red Cross Activities Within the Air Force*, for more details.

**3.50.5. Young Men and Women Christian Associations (YMCA and YWCA).** Under Title 10 United States Code, Section 9778, the Secretary of the Air Force is authorized to issue revocable licenses to these associations to erect and maintain facilities on military installations within the U.S., its Commonwealths, and possessions. When these facilities are necessary to promote social, physical, intellectual, and moral welfare of Air Force personnel, licenses to the YMCA and YWCA are granted without consideration.

**3.50.6. Post Offices.** The Secretary of the Air Force may assign suitable space for postal purposes at

each Air Force installation. Although a license need not be issued for space assignment, a Host-Tenant Support Agreement for reimbursement of utilities, telephone services, and janitorial service is required. See AFPD 25-2. The Air Force cannot expend appropriated funds to construct a post office facility on the installation.

**3.50.7. Miscellaneous Licenses.** Under Title 10 United States Code, Section 9777, the Secretary of the Air Force may issue a license for the following uses if it can be done without damage to the installation, inconvenience, or interruption of the mission or military operation:

3.50.7.1. Landing of ferries.

3.50.7.2. Erection of bridges by state or local governments

3.50.7.3. Driving of livestock across the installation.

### ***Section 3F—Issuing Permits for Temporary Use of Real Property***

#### **3.51. Authority to Issue Permits to Other Federal Agencies.**

The Secretary of the Air Force, under administrative powers, may authorize other federal government agencies, DoD agencies, and other military departments to use Air Force real property by permit. The permits are not permanent relinquishments, but merely give the permittees temporary use of Air Force Real Property.

**3.51.1. Permit Format.** For permits to other federal entities whether DoD or non-DoD, use the format provided by AFREA/DR. Generally, changes should not be made to the format except to deal with local matters peculiar to the installation and not already addressed in the permit. Since the Air Force policy is to have uniform treatment of its federal entity tenants, installations should refrain from offering to change the permit form to provide a “better deal” to the tenant. Changes made locally should be clearly noted when the permit is sent to AFREA/DR for approval.

#### **3.52. Consideration.**

3.52.1. Generally, other non-DoD agencies will be charged fair market value for use of building space, or other facilities made available by permit. No charge may be imposed for use of vacant Government land by another agency under permit from the Air Force. Consideration will not be required to be paid by non-DoD agencies and the occupancy charge may be waived if any of the following exceptions are present:

3.52.1.1. The permittee solely supports or substantially benefits the installation mission. Examples are FAA air controller, communication tower.

3.52.1.2. If the property is being used under existing permits. Upon removal of existing outgrants, non-DoD agencies will be charged unless their activity meets an exception.

3.52.1.3. If the activity conducted benefits or enhances the national defense.

3.52.1.4. When the permit is in the nature of an easement and grants a right-of-way for roads, pipelines, cables or similar purposes

3.52.1.5. When the income produced by a charge is less than the expense of administering the charge.

3.52.2. All permittees are required to reimburse the Air Force for utilities and services. See AFI 32-1061 and AFI 65-601 for more details. Reimbursement for utilities and services furnished to the permittee is the responsibility of the office having immediate jurisdiction over the real property. Reimbursement may be waived if mission support equals or exceeds the charges.

#### **3.53. Host-Tenant Support Agreements or Interservice, Interdepartmental, or Interagency Support Agreements in Lieu of Permits.**

One of these agreements may be used to document the use of Air Force real property and associated reimbursement for utilities and services in lieu of a permit. It is recommended that both a permit and an interservice support agreement (ISSA) be required to clarify the action. A permit should be issued upon renewal of the Host-Tenant agreement or ISSA to ensure that the REMO has record of the use of facilities by a third party.

3.53.1. When an ISSA is used as the real property use authorization, it is recommended that standard permit provisions be made part of the support agreement. The ISSA should describe the premises and address the term of occupancy, maintenance and repair, liability for damages, permittee use subject to general supervision of the installation commander, approval of alterations, and vacation of premises and restoration.

### **3.54. SAF/MII Approval Requirements for Permits.**

Prepare and execute a formal permit to authorize the use of Air Force real estate by another military department or DoD agency. SAF/MII approval is required when the fair market value exceeds \$25,000 or the use exceeds a period of 5 years, or permanent construction on Air Force Land is contemplated.

### **3.55. Appraisals.**

If consideration has not been waived, a professional appraisal must be made to establish fair market rental value when Air Force buildings or facilities are made available for use by other non-DoD agencies. Rental charges may be waived if mission support services equal or exceed the charges.

### **3.56. Term.**

Permits are limited to the actual time of contemplated use, not to exceed 5 years without SAF/MII approval. Permits granted for construction of schools to the Department of Education must be for a term of no longer than 25 years.

### **3.57. Hazardous Wastes and Materials.**

Permits may be granted to other Federal government agencies, DoD agencies and other military departments for use of Air Force real property for the use, storage or disposal of hazardous materials or waste in accordance with paragraph 3.13. Permits must follow the following guidelines:

3.57.1. Permit must provide that the permittee restore all Air Force real property to a decontaminated state. If not, reimbursement must be made for all work required to return Air Force real estate to a decontaminated state.

3.57.2. Permittee must comply with all Air Force, federal, State, and local environmental protection policies, laws and regulations. Provide copies of all operating logs to the Air Force at the end of each permit period.

3.57.3. Permittee must get concurrence from the appropriate environmental regulatory authorities that the Air Force real property requires no further remedial action. This is to prevent disagreement over reimbursement to the Air Force for the administrative costs of the negotiations with the regulatory authorities.

3.57.4. Permits granted to other military departments for the use of Air Force real property controlled or managed by the ANG at a public airport will incorporate additional conditions into the permit as "Attachment A" See Attachment 9 for format. This will be subject to the following conditions:

3.57.4.1. An ISSA will be executed simultaneously with the permit. This also includes customary reimbursement costs for operating mission support provided by the host.

3.57.4.2. The installation commander for the ANG is the single manager responsible for all operating support and military use of the public airfield. The permitted real property will be under the installation

commander's control, and the permittee will observe installation rules, regulations and directives relating to the operation of the installation.

3.57.4.3. The permittee's unit commander will coordinate with the installation commander all activities which may affect the management and operation of the installation.

### ***Section 3G—Easements***

#### **3.58. Procedures for Easements.**

Easements are not required to be granted to a company that provides utilities for installation use only. The Air Force obtains necessary utilities such as water, electric, gas, sewer, by means of a Utility Services Contract. However, easements are required for utility lines that also provide commercial service to the general public. Take caution when granting easements within the AICUZ area to prevent uses that may interfere with military aircraft flight operations, such as smoke, birds and height obstructions. Easements will not be transferred or assigned without AFREA/DR approval. Records identifying location, owner, and who provides the utilities, will be kept by the MAJCOM and installation REMO.

#### **3.59. Competition.**

Competition is generally not practical when granting easements to states, towns, cities or their political subdivisions, or to utility companies. Accordingly, a waiver of competition is authorized when granting easements to public agencies or public utilities. However, when more than one utility could provide services to the installation, procurement action by competitive bidding is required.

#### **3.60. Consideration.**

Charge fair market value for easements. However, issue the easement without monetary consideration if the grantee is a state or local government, a nonprofit corporation or association. An example is a Rural Electrification Administration Association financed corporation. Also, issue the easement without monetary consideration when the outgrant is primarily for the benefit of the government or will serve the public interest.

#### **3.61. Term.**

Easements to public utilities, private persons, or to any grantee for commercial purposes will not exceed 25 years, regardless of the term authorized in the statute that applies. Easements to state and local governments for constructing public roads, streets, and area drainage projects may be granted in perpetuity.

#### **3.62. Easements for Power Lines and Communications Facilities.**

See Statutory Authority 43 U.S.C. 961 for more information.

3.62.1. **Width of Easement.** Requests should be consistent with the needs of the grantee and should be reviewed by the installation communications officer and the installation or MAJCOM engineering and environmental planning functions. As a rule, widths of rights-of-way easements for electrical transmission lines and communication uses must not exceed 200 feet on either side of the center line.

#### **3.63. Easements for Gas, Water, and Sewer Pipelines.**

See Statutory Authority Title 10 United States Code, Section 2669.

3.63.1. **Width of Easement.** The statute does not limit the width of the easement; however, no more land should be included than is necessary for the purpose of the outgrant. Use the expertise of Air Force personnel to make sure widths are sufficient but not excessive for satisfying the need of the grantee.

### **3.64. Easements for Roads and Streets, Railroad Tracks.**

See Statutory Authority Title 10 United States Code, Section 2668 for more information.

3.64.1. **Width of Easement.** The statute does not limit the width of easements granted under this authority. However, no more land should be included than is necessary for the purpose of the outgrant. Use the expertise of Air Force personnel to make sure widths are sufficient but not excessive for satisfying the needs of the grantee.

3.64.2. The granting clause of an easement for a road right-of-way across an Air Force Installation must include the following language:

“The Secretary of the Air Force having found that the granting of this easement will not be against the public interest.”

### **3.65. Easements for Oil, Natural Gas, and Synthetic Liquid or Gaseous Fuels Pipelines.**

See Statutory Authority 30 U.S.C. 185 for more information.

3.65.1. **Width of Easement.** The statute limits the width of easements to 50 feet plus the ground occupied by the pipeline. No more land should be included than is necessary for the purpose of the outgrant. Use expertise of Air Force personnel to make sure widths are sufficient but not excessive for satisfying the needs of the grantee.

3.65.2. Include the other provisions required by the statute in the easement outgrant.

### **3.66. Easements for Rights-of-Way or Other Purposes and the Relinquishment of Legislative Jurisdiction.**

The Statutory Authority, 40 U.S.C. 319. This authority is unlimited as to the purposes for which easements may be granted, but it should not be used for a purpose specifically authorized by another easement statute referred to in this section.

3.66.1. **Width of Easement.** The Statute does not limit the width of easements granted under this authority. However, no more installation land should be included than is necessary for the purpose of the outgrant.

3.66.2. The granting clause of easements authorized under 40 U.S.C. 319 must include the following statement:

“The Secretary of the Air Force has determined that the granting of this easement will not be adverse to the interests of the United States.”

3.66.3. **Relinquishment of Legislative Jurisdiction.** 40 U.S.C. 319 authorizes the Air Force to grant easements for rights-of-way or other purposes and to simultaneously relinquish legislative jurisdiction as necessary or desirable to the state in which the land is located. Relinquish jurisdiction in the manner described by the state laws. Only take action after consultation with the local United States Attorney and the General Litigation and Legal Advice Section, Criminal Division, Department of Justice.

### **3.67. Consent Agreements.**

A consent agreement is used when the owner of the fee or a third-party wants to come upon the government’s easement area. No consideration is charged for a consent agreement because it grants no interest in the land. The underlying land owner is the only party who can grant this additional use of the land. The applicant must acquire a land use grant from the fee owner before consent of the Air Force can be granted. A consent agreement can only be approved by the office that approved the acquisition

of the government's right-of-way easement.

3.67.1. If the crossing is incompatible with the government use such as construction on top of a cable right-of-way, which make relocation of the cable or right-of-way necessary, the relocation, including the acquisition of a new right-of-way should be accomplished by and at the expense of the party requiring relocation. Do not use appropriated funds to accomplish a relocation for the benefit of others. The use of appropriated funds should be avoided even if funds are reimbursed. The reason this should be avoid is because reimbursements must be paid to miscellaneous receipts of the U. S. Treasure rather than to an Air Force account.

3.67.2. If the landowner wants to use his land over which the United States holds an easement, determine if the use is a mere grant of a privilege for temporary use by consent agreement or if the use will constitute a release of a property right of the government such as the right to prohibit obstructions or structures as conferred by the terms of the easement. This type of use by the landowner is not a "consent" but releases or relinquishes, or surrenders a right under the easement estate. This should be treated as a disposal under AFI 32-9004.

### **3.68. Repair and Restoration.**

Easement grantees are usually required to repair and restore damage done to government property and improvements during construction and maintenance of the right-of-way. They are also required to replace buildings or other needed facilities rendered useless or less useful by the exercise of the easement right granted.

#### **3.68.1. Limitations for Relocation or Replacement.**

3.68.1.1. Relocation will be effected without major material change in design characteristics.

3.68.1.2. Replacement facilities must be of equivalent construction, have the same category, and be the same size and capacity as the ones replaced.

3.68.1.3. Relocation and replacement requirements include only facilities for which a continuing military need exists.

3.68.1.4. Relocation, replacement, and repair requirements include site restoration.

3.68.1.5. Repair requirements must not exceed restoration of damage incurred.

3.68.2. **Improvements.** If a proposed right-of-way requires removal or destruction of real property improvements not required to be relocated to meet military needs, the improvements must be disposed as excess real property according to AFI 32-9004. In this case, a condition of the easement outgrant will be payment of current fair market value for the improvements.

3.68.2.1. No charge is made for the improvements lost when the proposed grantee is a local or state agency and when the proposed grantee's project is subsidized locally by a federal agency. If the project is not locally subsidized, the consideration for disposing of the improvements is based on the salvage value.

3.68.2.2. The charge will include the fair market value of the in-place improvements when an outgrant is made at fair market rental value to an entity not entitled to a grant of right-of-way without charge unless they are to be relocated or replaced, at the grantee's expense for future government use.

### **3.69. Prior Approval of the Secretary of the Air Force.**

An easement outgrant that involves replacement or relocation of Air Force facilities at an estimated cost in excess of \$100,000, must be approved by SAF/MII.

3.69.1. The continuing military need for the facility to be relocated or replaced must be justified. Include a master plan layout of the installation with each request. The plan must be in sufficient detail to show the proposed right-of-way and the location of the relocated or replacement facilities. Give the facts on the financial arrangements for the new facilities. Include copies of the pertinent agreements and DD Forms 1391 for each of the affected military facilities.

### *Section 3H—Grant Temporary Use of Real Property for Other Purposes*

#### **3.70. Morale, Welfare, and Recreation (MWR) Activities.**

MWR and related activities are responsible for recreation programs that require use of Air Force real property.

3.70.1. AFI 65-106, *Appropriated Fund Support for Morale, Welfare, and Recreation and Nonappropriated Funds*, outlines appropriated fund support authorized for all MWR activities. These activities include the following:

3.70.1.1. **Military General Welfare and Recreation Programs.** This category includes Category III MWR activities supported with central base funds. Examples are outdoor recreation, arts and crafts, libraries, gyms, and child care.

3.70.1.2. **Other Membership Associations.** These include Category III and VI MWR activities identified by AFI 65-106, AFI 34-117, *Air Force Aero Club Program*, and AFI 34-115, *Air Force Club Program* such as base riding clubs, rod and gun clubs, and yacht clubs. These associations may be authorized if they do not duplicate Category IIIB activities at the same installation.

3.70.2. A lease will be issued to the "Membership Association." The installation REMO and the membership association will determine the amount to be paid by each individual member for utilities, rents, grazing, or other benefits provided by the Air Force. All members in Category III and VI who are owners of privately owned horses, boats, recreation vehicles, and who use installation facilities such as stables, grazing and cropland, boat slips, fam camps will pay these fees. The lease will require reimbursement of all costs associated with real property used by the Association members. This includes potential revenues lost to the Air Force or appropriate grazing fees. Maintenance and repair costs will be part of the fee paid by members. Assess improvement expenditures on a one-time basis against membership organizations when these improvements are required or developed. Appropriated and nonappropriated fund costs will be determined separately to include utilities, maintenance and operational costs.

3.70.3. AFI 34-223, *Private Organization (PO) Program*, defines and classifies the types of private organizations (POs) and specifically addresses situations involving the use of Air Force real property; however, when granting temporary use of Air Force real property use AFI 32-9003 and this handbook. Examples of POs are thrift shops, wives clubs, and veterans organizations.

3.70.4. Private Organizations may be authorized to use Air Force real property without charge if the property is used on an exclusive or nonexclusive basis where no additional cost to the government occurs. This includes utilities, in place equipment and janitorial supplies.

3.70.5. Private organizations that have exclusive use (excluding thrift shops) of AF real estate will be charged the fair market rental value. For example, private saddle and riding clubs will be charged for use of Air Force real property, services (to include utilities), and grazing and cropland activities through an outgrant action. All grazing and cropland use must comply with an approved installation grazing and crop management plans. (Reference paragraph 3.80 for outgrants to POs overseas.)

3.70.6. The local nonappropriated fund Financial Management Branch will collect and deposit amounts due Nonappropriated Fund Instrumentality (NAFI) to the appropriate Nonappropriated Fund (NAF) account and may serve as a collection point for payments due appropriated fund accounts. All payments will be forwarded through the base Accounting and Finance Office for deposit. These payments will not be processed through any NAF accounts.

#### **3.71. Public Schools.**

3.71.1. **Building Space.** Leases to states, political subdivisions, or their instrumentalities for public

school purposes, may be outgranted without monetary consideration for a term not to exceed 5 years.

3.71.2. Leases for construction of public schools to states, political subdivisions, or their instrumentalities may be granted without monetary consideration for a term not to exceed 25 years. The lessee is responsible for all costs associated with the construction. This includes connections to utility systems, construction of sidewalks, parking areas, and the like.

3.71.3. School lessees are required to reimburse the Air Force for utilities and any services furnished by the AF.

3.71.4. Provision should be made in the lease for the Air Force to use school facilities during non school hours. This includes use for religious services and classes. Use must be compatible with local law and practice. AF funds may be used to reimburse the school lessee for the actual cost of occupancy, and the AF proportionate share of maintenance costs.

### **3.72. Labor Unions.**

3.72.1. Exclusive recognition does not automatically entitle a labor union to use office space or to be provided utilities and services on an AF installation. However, a union that has been granted exclusive recognition is entitled to negotiate such matters including scope and cost, if any, with local installation management officials.

3.72.2. A no-cost license must be issued by the REMO to cover space used by a labor union on an installation. This use must be reflected in the real property accountable records. This action must be completed regardless of any other approval instruments, that is, installation commanders verbal or written approval.

### **3.73. Community Antenna Television Service (CATV).**

The Air Force does not normally own cable television systems on base beyond that portion of a system that is built into a structure such as a dormitory or other housing unit. The Air Force does allow, to the extent capacity exists and there is no interference with the installation mission, private cable television companies to install cable television systems on base by laying or stringing cable on specifically designed areas of the installation.

3.73.1. The permission given is in the nature of a license for a term of years. The resulting system is neither the property of the Air Force nor the responsibility of the Air Force to operate or maintain. The Air Force does not engage in securing customers for the cable television company. Consequently, there are only two forms of relationships with a cable television company:

3.73.1.1. A contract for cable television services to federal entities located on base such as government offices, which is handled through the Federal Acquisition Regulation as a normal procurement of services

3.73.1.2. Granting of a license to a private entity to utilize the Air Force's real property for the private purpose of installing and operating a cable television system. **NOTE: This purpose is the only one covered by this chapter.**

3.73.2. For licenses to private entities to allow the installation and operating of a cable television system, use the format provided by AFREA/DR. Generally, changes should not be made to the format except to deal with local matters peculiar to the installation and not already addressed in the license. Since it is Air Force policy to have uniform treatment of private tenants providing cable television services, installations should refrain from offering to change the permit form to provide a "better deal" to the tenant. Changes made locally should be clearly noted when the permit is sent to AFREA/DR for approval.

3.73.3. CATV service to Air Force installations is provided pursuant to franchise agreements. These agreements are executed in accordance with AFI 64-101 and 47 U.S.C. 521 *et seq.* Any Air Force real property facilities or equipment made available for contractor use such as poles, conduits, and sites for

antennas) are provided for in the franchise agreement. This includes consideration or offset, without the necessity of a lease or license for the use of such property.

3.73.4. Cable pairs are classified as personal property. Any use of government-owned cable pairs, communication ducts or conduits by others will be administered through a revocable license, or leasing agreement between the cable or telephone companies and the installation communications officer. See AFI 64-101, *Cable Television Systems On Air Force Bases*, for more information.

### **3.74. High Speed Vehicle Operations.**

AFREA/DR approves all requests related to issuing licenses for use of Air Force land for high speed vehicle operations such as those intended to establish land speed records. This is necessary because such use creates many unique safety, security, and mission impact situations. Each request must be accompanied by the MAJCOMs recommendation and must reach AFREA/DR at least 60 days before the requested use date.

## ***Section 3I—Complying With the Stewart B. McKinney Act***

### **3.75. The Shelter for the Homeless Program.**

**3.75.1.** The Air Force will assist homeless services providers by offering to them, buildings and properties available and determined suitable by the Department of Housing and Urban Development (HUD). Under the McKinney Act, the Air Force is required to report to HUD properties that are unused, underutilized, or excess to Air Force requirements. In addition to space, the installation commander may provide the following:

3.75.1.1. Utilities, bedding, security, transportation, renovation of facilities, minor repairs and property liability insurance.

3.75.2. The Deputy for Installations Management, Office of the Deputy Assistant Secretary of the Air Force (Installations), is responsible for:

3.75.2.1. Implementing and monitoring the "Homeless and Outreach" Program in accordance with Title 10 United States Code, Section 2546

3.75.2.2. Approving or disapproving outleases or permits to the homeless providers

3.75.2.3. Ensuring each installation commander is informed about the program

3.75.3. The Air Force Real Estate Agency is responsible (under the guidelines of the McKinney Act) for:

3.75.3.1. Reporting, monitoring, and processing (for a suitability determination) to HUD Air Force properties that are unused, underutilized, or excess to their requirements.

3.75.3.2. Informing the MAJCOMs when the next homeless report is due.

3.75.3.3. Forwarding approved HHS applications to SAF/MII for lease or permit approval (not less than one year)

3.75.4. The MAJCOM is responsible for:

3.75.4.1. Notifying the installation commanders when the next homeless report is due.

3.75.4.2. Forward to AFREA/DR homeless reports of properties the installation commanders finds unused, underutilized or excess to Air Force requirements.

3.75.5. The installation commanders are responsible for:

3.75.5.1. Completing a Federal Property Information checklist on each property that is not used, underutilized or excess to Air Force requirements.

3.75.5.2. Submit the checklists through the major command for AFREA/DR review.

3.75.5.3. Showing the homeless provider through properties that have been found suitable and are available for their use

### ***Section 3J–Credit Unions and Banks.***

#### **3.76. Credit Unions.**

All credit unions on Air Force installations must operate according to DoDI 1000.10, Procedures Governing Credit Unions on DoD Installations, (including Automated Teller Machines). When available, credit unions may occupy space in government-owned buildings, or lease land and construct their own facilities. Only one credit union is established on an Air Force installation. Membership normally will include all assigned DoD personnel. If more than one credit union already exists, each is entitled to the same support, when available, as if located on a separate base. See AFI 65-702, ***Credit Unions on Air Force Installations.***

##### **3.76.1. Criteria for Use of Space in Government-Owned Buildings:**

3.76.1.1. A credit union may be provided space on an Air Force installation by no cost license for period not to exceed 5 years. The total space authorized is subject to the limitations in MIL-HDBK-1190 and AFI 32-1024. Under authority of Section 124 of the Federal Credit Union Act of 1934 as amended (12 U.S.C. 1770) a no-cost license may be issued for a period not to exceed 25 years when a credit union, at its own expense, expands, modifies, or renovates government-owned space. The term is commensurate with the extent of improvements.

3.76.1.2. All space assigned to the Air Force by the GSA, whether leased or in Federal office buildings, is reimbursable to the GSA at the current GSA rental rates under P.L. 92-313. Consequently, the GSA will charge the benefiting DoD component for any space assigned for credit union operations.

3.76.1.2.1. Process all credit union actions through comptroller channels, as well as engineering channels.

3.76.1.3. If the credit union meets the 95 percent criterion, but the space it occupies will exceed what is authorized by MIL HDBK 1190 AND AFI 32-1024, then the 5-year extended license will be at the fair-market rental for the space that is in excess of allowable space. If the credit union does not meet the 95 percent membership criterion, the credit union reimburses the Air Force for support.

3.76.1.3.1. The Air Force furnishes janitorial services, utilities such as air-conditioning, heat, and light, and maintenance at no cost to a credit union that occupies free space in a Government building. The credit union pays for other services, such as telephone lines, long-distance calls, and space alterations.

##### **3.76.2. Leasing Air Force Land for Construction of Credit Unions.**

3.76.2.1. Pursuant to 10 U.S.C. 2667, land required for approved building construction at credit union expense will be made available by real estate lease at not less than the fair market rental value of the lease interest, as determined by the Secretary, or with appropriate rental offsets and for a term not to exceed 25 years. See AFI 65-702 for more guidance.

3.76.2.1.1. The Government has the right to terminate the lease in a national emergency or if the installation becomes inactive or closes. The credit union must notify the installation at least 90 days before closing its office. The fair market rental charge applies for the entire lease term. In the lease, require the credit union to care for the premises and pay for utilities and services according to DoD Instruction 7230.7 and AFI 32-1061.

3.76.2.1.2. When the lease expires or is terminated, it is the Government's option to take structures and improvements without reimbursing the credit union or require the credit union to remove them. If the Government takes this option, the credit union must restore the land to its original condition. Extend the lease for no more than 5 years. If the Installation Commander decides it serves the Government's best interest, extend an existing lease before it expires.

3.76.2.1.3. If the terms of the lease or extension state that title to the facility passes to the Government, take title only after all extensions expire. Title to improvements will not pass to the Government while

the lessee occupies the facility.

3.76.2.2. To support each construction proposal, get written assurance that the credit union knows it may lose the building if the installation closes or other specified conditions limit the lease term; it will use the building only to serve credit union needs; it accepts financial responsibility and will reimburse the Air Force for construction costs, maintenance, utilities, and other services furnished. Set rates according to DoD Instruction 7230.7 and confirm the rates in a written agreement.

3.76.2.2.1. Credit unions that pay for construction do not have to meet the space criteria explained in MIL-HDBK-1190 and AFI 32-1024.

3.76.2.2.2 If a credit union takes part in constructing a building complex, such as an installation shopping mall, set a nominal rent in the lease, covering only the land under the specific space the credit union occupies. The credit union reimburses the Air Force for support.

3.76.2.2.2.1. If a credit union locates in a building complex, such as an installation shopping mall, after construction is completed, a fair market rental will be charged for the occupied space and the credit union will reimburse the Air Force for support.

### **3.77. Establishing Banking Offices.**

The establishment of banking offices on AF installations will only be with prior approval by SAF/MII and SAF/FM. Branch banks and banking facilities (including Automated Teller Machines (ATM)) on AF installations are governed by AFI 65-701, *Banking Services on Air Force Bases*).

3.77.1. **Logistical Support for Banking Offices.** For the purpose of logistical support, banking offices are self-sustaining or non-self-sustaining. See AFI 65-701 for definitions and more information.

3.77.1.1. Domestic Non-self-sustaining Banking Offices. Support non-self-sustaining banking offices without charge. This includes office space, utilities, maintenance and repair, and custodial services. The installation commander may give a non-self-sustaining banking office space on a DoD installation at one or more locations for up to 5 years in accordance with DoD Directive 4165.6. Assign building space in the operating agreement and authorize it with a free license. Do not give the bank more space than MIL-HDBK-1190 or AFI 32-1024 authorizes.

3.77.1.2. All space assigned to the Air Force by the GSA, whether leased or in Federal office buildings, is reimbursable to the GSA at the current GSA rental rate under P.L. 92-313. Consequently, the GSA will charge the Air Force for space assigned for banking operations.

3.77.1.3. Maintain, repair, rehabilitate, alter, or construct base banking offices according to DoDI 4165.64.

3.77.1.4. When a banking office becomes self-sustaining, cancel its free license or lease and negotiate a lease at fair market rental value for a term of up to 5 years. Process all actions for banks according to AFI 65-701.

3.77.2. **Banking Offices in Government-Owned Buildings.** The lease of an existing structure to house a self-sustaining banking office will be at appraised fair market rental value. See AFI 65-701.

3.77.2.1. The lease term is for up to 5 years and renewable by mutual agreement. The Air Force reserves the right to terminate the lease. The banking institution must reimburse the DoD for GSA assigned space at the current GSA rental rate.

3.77.2.2. When the banking institution funds modifications or renovation of Government buildings, the installation commander negotiates a lease for up to 25 years. The lease term must be commensurate with the extent of the improvements.

3.77.2.3. The lessee makes needed interior alterations and does maintenance, and pays for utilities, custodial and other services.

3.77.3. **Banking Offices on Government-Owned Land.** Land required for approved building construction at bank expense will be made available by real estate lease at fair market rental value. Once determined, the charge will be applicable for the term of the lease of up to 25 years. See AFI 65-

701 for more information.

3.77.3.1. These conditions will be included in all new leases and lease extensions:

3.77.3.1.1. The lease may be terminated by the Secretary of the Air Force in a national emergency; installation inactivation, closing, or other disposition; the lessee's failure to meet the lease conditions; or the interest of national defense.

3.77.3.2. When the lease expires or the Government terminates it, it is the Government's option to take structures and other improvements without reimbursing the bank or ask the lessee to remove them. If the Government takes this option, the bank must restore the land to its original condition. The lessee must give the Air Force a 90-day notice of intent to end its lease.

3.77.3.3. If a banking institution takes part in constructing a complex, such as an installation shopping mall, provide a lease covering only the land under the space the banking office occupies.

3.77.3.3.1. If a banking institution locates in a building complex, such as an installation shopping mall, after construction is completed, a fair market rental will be charge for the occupied space and the bank reimburses the Air Force for support. The only exception is when AAFES or the Defense Commissary Agency (DCA) makes arrangements for the base bank to provide a check cashing operation within the AAFES or DCA store where there is no charge for space.

3.77.3.4. If the installation commander determines it best serves the Government, extend a land lease before it expires. Make extensions for up to 5 years. The lease term may be more than 5 years only when the Secretary of the Air Force or a designee decide an extended term serves national defense or the public under 10 U.S.C. 2667 (b)(1).

3.77.3.5. Defer passing title to banking facilities to the government until all extensions expire. Title to improvements will not pass to the Government while the lessee occupies the facility.

3.77.3.6. Do not amend or alter leases signed before 26 July 1989, unless a lessee specifically asks to under DoDI 1000.12. Do not renegotiate lease contract, surrender, or waive any right without the Government's mutual consideration.

### **3.78. Banks and Credit Unions on Air National Guard Leased/Licensed Property.**

The Air National Guard will not allow land leases for construction of credit unions or banking facilities except where the ANG Base land ownership is in fee simple. Credit unions and banking facilities may be located in government-owned buildings where the Air Force leases property for the ANG. Any exception to this AFI will be forwarded to AFREA/DR for SAF/MII approval.

### **3.79. Automated Teller Machine (ATM) Service.**

ATMs add to services an on-base banking or credit union office provides. No lease or license is needed to place an ATM in a banking or credit union facility.

3.79.1. With authorization, an on-base bank or credit union may place ATMs at one or more sites. See AFI 65-701 for details.

### **3.80. Credit Unions Overseas.**

The Air Force provides space and other support according to AFI 65-702.

### **3.81. Banking Establishments in Overseas Locations.**

Space and other support is provided according to AFI 65-701.

## ***Section 3K—Authorizing Temporary Use Overseas***

### **3.82. Provisions for Foreign Countries.**

Evaluate each case as a separate transaction when granting the use of real estate under the control of the AF in foreign countries. This is in light of the existing Status of Forces Agreement (SOFA). Maintain close coordination through the MAJCOM with the Department of State representatives in the foreign countries concerned. As a rule, use the general policies outlined in the previous sections of this handbook for guidance.

### **3.83. Deviations from Provisions.**

If it is necessary to deviate from general policy, send the request through the MAJCOM to AFREA/DR. Give complete justification and include the appropriate supporting documentation as outlined in AFI 32-9003 and this handbook.

### **3.84 Submitting Outgrant Instruments.**

The MAJCOMs sends all executed copies of outgrants (significant) requiring HQ USAF approval to AFREA/DR.

### **3.85. Outgrants to Private Organizations (POs):**

3.85.1. Chapters or units of a nonprofit PO such as Type 2 Affiliated Organizations, and Type 3 Independent Organizations in AFI 34-223, and Category VI, Other Membership Associations in AFI 65-106, *Appropriated Fund Support of Morale, Welfare, and Recreation and Nonappropriated Fund*, may be established on a military installation if it meets the following criteria:

3.85.1.1. A majority of the membership must include both military and civilian government employees and their dependents.

3.85.1.2. Space is not required at the time for military or other government use. Reimbursement is not required if the use of a facility (to include government-owned equipment, utilities, and janitorial supplies) is non-exclusive. However, use must not add to the government's maintenance or janitorial expenses. An approved outgrant is mandatory and reimbursement is required when a PO has exclusive use of a facility or land area. Reimbursement for space occupied, utilities, maintenance, and other support services is determined according to AFI 65-601, volume 1, USAF Budget Policies and Procedures, and AFR 177-8, *User Charges*.

3.85.1.3. None of the private organizations duplicate any category IIIB activity under AFI 65-106 at the same installation.

3.85.1.4. Privately owned horses, boats, recreation vehicles, or aircraft stabled, moored, provided utilities, or rendered other support by military MWR activities on DoD installations are not entitled to financial support by the DoD or its non-appropriated fund instrumentalities (NAFIs) except on a reimbursable basis when not otherwise prohibited by law.

3.85.1.5. A memorandum of understanding (MOU), or agreement (MOA) is entered into between the DoD and the national organization(s) in which the PO is affiliated. In the MOU or MOA, establish the maximum level of support to all POs regardless of overseas location.

3.85.2. All outgrants must be on a nonexclusive use basis without preference to any particular PO. Make the term of the outgrant consistent with the SOFA, but in no event will the outgrant exceed 5 years. The license will also be revocable at the will of the Secretary of the Air Force.

3.85.3. No signs, seals or other symbols that identify the organization(s) using Air Force real estate will be placed on, or in, the outgranted space or building.

3.85.4. Send any proposal to revoke the real estate instrument before the term expires or to request the PO's removal from the installation at expiration, to SAF/MIIR with complete justification at least 120 days before the proposed date of revocation or expiration.

***Section 3L—Rental Rates and Charges for Quarters Supplied on a Rental Basis.*****3.86. Establishing Charges.**

This section explains policies and procedures for determining and establishing charges for quarters supplied on a rental basis to US Armed Forces Members, US Government civilian employees, and all nongovernment personnel. This includes contractors and contractor employees where housing is essential while performing a government function. It applies to the USAF, USAFR, ANG units and members who appraise and determine rental rates and charges for quarters. It implements DOD Manual 4165.63-M, and OMB Circular No. A-45 Revised. See Attachment 10 for unacceptable factors for determining rents and charges.

3.86.1. Rental Quarters (Government-Owned or Leased). The following categories of housing may be leased.

3.86.1.1. substandard FH (inadequate quarters), single family housing, apartments, bunkhouses, dormitories, trailer pads, cabins, guard stations and lookouts, mobile homes, housekeeping and nonhousekeeping units, and surplus housing operated under a PXM contract.

**3.87. Basic Rent Principle.**

**3.87.1.** Rental rates and charges for quarters are determined by applying the Basic Rent Principle. See Attachment 10 for rental rate criteria. The total rental charge includes:

3.87.1.1. Shelter rent, utilities and related services, NAF services, and furnishings.

3.87.2. When government-furnished utilities are not metered or measured, determine consumption by an analysis to estimate the average amounts of utilities used in comparable private sector housing in the established community or survey area. Estimates are usually available from local utility companies. Normally, utility charges are clearly shown and separated from rent charges. Utility charges are combined, however, in one charge for nonhousekeeping rooms.

**3.88. Administrative Adjustments to Rent:**

3.88.1. Isolated locations

3.88.2. Adjustments for maintenance

3.88.3. Standards of maintenance

3.88.4. Impositions on privacy or space (space for official use or other impositions)

3.88.5. Requirement to maintain two households

3.88.6. Excessive size and quality

3.88.7. Inadequate size

3.88.8. Differential between furnished and unfurnished quarters

3.88.9. Lack of all-weather construction

**3.89. Appraisals for Rental Quarters.**

3.89.1. United States - normally, every five years (some exceptions)

3.89.2. CPI adjustments each February

3.89.3. Foreign countries - normally, every three years

3.89.4. United States. The Installation Commander through the Base Contracting Officer is responsible for securing the professional contract appraisal. Staff appraisers from appropriate Corps of Engineers District offices may perform the staff appraisal.

3.89.5. Foreign Countries. Professional contract or staff appraisers may appraise quarters as each

particular situation warrants.

3.89.6. See Attachment 11 for appraisal reports data.

### **3.90. Appeals of Rent and Charge Schedules.**

Installation commanders notify the tenants concerned when they appeal rent and charge schedules. If a decision results in a lower schedule, the rents and charges are adjusted retroactively to the effective date of the appraised rate.

### **3.91. Disposition of Collections for Rents and Charges.**

See AFM 177-102, Part Three, Chapter 7.

## Chapter 4

### DISPOSAL OF REAL PROPERTY

#### *Section 4A—Fundamentals of Disposal*

##### **4.1. Review of Real Property Assets.**

Installation commanders and MAJCOMs must continually review land and mission requirements to ensure real property that is no longer needed to support the current or programmed mission is disposed of. This Chapter provides guidance for disposing the following types of excess real property:

- 4.1.1. Land or land interests with or without improvements.
- 4.1.2. Buildings or improvements on non excess land.
- 4.1.3. Long-term leaseholds (over 5 year term)

##### **4.2. Responsibilities and Levels of Authority.**

See AFI 32-9004, *Disposal of Real Property*, and paragraph 4.26 for responsibilities and levels of approval authority for disposal of real property. All disposals under Title 10 United States Code Section 2662 must contain certification by the Secretary of the Air Force that the feasibility of exchanging the property for other real property has been considered and it has been determined that the property to be declared “excess” is not suitable for that purpose.

##### **4.3. Reporting and Disposal Actions.**

The Corps of Engineers, or in some areas, the Naval Facilities Engineering Command, NAVFACENCOM, may act as the real estate agent for the Air Force. Actions are done in accordance with pertinent federal laws, federal regulations, and the procedures in this handbook. Under Title 40 United States Code, Section 471 et seq., Federal Property and Administrative Services Act of 1949, as amended (“Federal Property Act”), federal agencies must report “excess” real property to GSA. When GSA determines that no federal activity needs the property, it is declared “surplus” property and GSA disposes of it in the most economical method. Method selected must be in the best interest of the government.

4.3.1. Disposal of property may be done for cash or by exchange for privately owned property only for “property management considerations.” Examples of property management considerations are boundary realignment, provision of access, or situations when acquisition is authorized by law and a federal agency has received approval from the Office of Management and Budget (OMB) and congressional oversight committees for real property exchange.

4.3.1.1. Exchange involves an acquisition and a disposal action. This type of action must offer substantial economic or unique program advantages that cannot be met by any other method of acquisition.

4.3.1.2. Disposal reports under 10 U.S.C. 2662 also must contain certification by the Secretary of the Air Force that the feasibility of exchanging the property for other real property authorized to be acquired has been considered and is not suitable for military purposes.

##### **4.4. Intergovernmental and Interagency Coordination for Environmental Planning (IICEP) Notification Requirements.**

All real property disposal projects that require congressional notification under 10 U.S.C. 2662 must be sent through the IICEP process outlined in AFI 32-7060, *Interagency and Intergovernmental Coordination for Environmental Planning*. This is to ensure compliance with Executive Order 12372, July 14, 1982.

**4.4.1 Procedures After Meeting Congressional Requirements.** Send notification through the MAJCOM to AFREA/DR that congressional reporting requirements have been met. Then the BCE must send project information to state, local agencies, and other federal agencies within 10 days. Send any comments received to the MAJCOM immediately for staffing. Send information copies to AFREA/DR, HQ USAF/ILEV, and the appropriate Air Force Regional Compliance Office (For example, Air Force Center for Environmental Excellence (AFCEE)). If comments and recommendations cannot be evaluated and issues resolved within 30 days, or it is determined by the MAJCOM that it cannot be accepted or implemented, then a written response must be prepared by the MAJCOM, coordinated with AFREA/DR and HQ USAF/ILEV. Send copies of the response to the state or any other commenting agency and the appropriate AFCEE office.

#### **4.5. Conveying Surplus Real Property to Public Bodies.**

Following Air Force submission (via the Corps of Engineers) of a declaration of excess (DE) to the appropriate zone office of the General Services Administration (GSA), Public Buildings Service, Real Estate Sales Office, (Attachment 13), the excess property is screened through federal agencies by GSA. If there are no federal takers, the property is declared “surplus” and may be conveyed to the following public bodies:

**4.5.1. Public Airports.** Transfers are made through the Federal Aviation Agency (U.S. Department of Transportation) to any state, political subdivision, municipality or tax supported institution. Transfers of this type can be made without monetary consideration. Include appropriate conditions and reservations in the conveyance, primarily, the right of the government to use the real property during periods of national emergency (recapture rights). See Title 49 United States Code, Section 2215.

**4.5.2. Park and Recreational Use.** Conveyances are made through the Secretary of the Interior to a state, political subdivision, instrumentality or municipality without monetary consideration if 100 percent public benefit will exist. Otherwise, the sale price will be current fair market value less an amount reflecting the public benefit derived from the use of the property. See Title 40 United States Code, Section 484(k)[2].

**4.5.3. Historic Monuments.** Surplus federal real property may be conveyed for use as an historic monument for the benefit of the public. This is done through the Secretary of the Interior to a state or local government, without monetary consideration. See 40 U.S.C. 484 (k) (3).

**4.5.4. Educational Purposes.** Conveyances are made through the Secretary of the Department of Education to a state, political subdivisions and instrumentalities, and tax supported educational institutions without monetary consideration if 100 percent public benefit exists. If not, the sale price must be the current fair market value less an amount reflecting the public benefit from use of the property. See Title 40 United States Code, Section 484 (k) (1)(A).

**4.5.5. Public Health Purposes.** Conveyances are made through the Secretary of Health and Human Services to a state, its political subdivisions and instrumentalities, and tax supported educational institutions without monetary consideration if 100 percent public benefit will exist. If not, the sale price must be the current fair market value less an amount reflecting public benefit from the use of the property. See Title 40 United States Code, Section 484 (k) (1) (B).

**4.5.6. Correctional Facility Use.** Conveyances may be made by the GSA Administration, without monetary consideration, to the states, the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the U. S. Virgin Islands, the Trust Territory of the Pacific Islands, the Commonwealth of the Northern Mariana Islands, or any political subdivision or instrumentality thereof,

for the care or rehabilitation of criminal offenders, as approved by the United States Attorney General. The principal restrictive provision in the instrument of conveyance requires the property to be used and maintained for the purpose for which it was conveyed in perpetuity. See Title 40, United States Code, Section 484 (p) (1).

**4.5.7. Wildlife Conservation.** Conveyances, with or without improvements, are made by the federal agency in coordination with the GSA Administration, without monetary consideration, to a state for the conservation of wildlife. Such transfer is subject to the reservation by the United States of all oil, gas, and mineral rights and on the condition that the property will continue to be used for wildlife conservation. See Title 16, United States Code, Section 667 b-d.

**4.5.8. Negotiated Sales to Public Agencies (without use restriction).** Conveyances are made by GSA by negotiated sales at fair market value, to states, territories, possessions, political subdivisions thereof, or tax-supported agencies. An explanatory statement of the circumstances of each disposal by negotiation is prepared by GSA and submitted to the appropriate committees of Congress in advance of each disposal when the property involved has a fair market value in excess of \$100,000. See Title 40, United States Code, Section 484 (e) (3) (H).

#### **4.6. Accountability and Care of Excess Property.**

The Air Force must retain accountability and protect excess property from vandalism and theft until the disposal has been completed at all levels. This may be accomplished with the issuance of a notice of termination of a leasehold, completion of DD Form 1354, *Transfer and Acceptance of Military Real Property*, award of a sales contract, or processing of an approved AF Form 300, *Facility Disposal*.

#### **4.7. Disposal Commitments.**

Do not commit the Air Force to any action which contemplates the transfer of real property or interest in real property outside the government. Any query from outside the federal government on excess real property must be referred to AFREA/DR for reply.

#### **4.8. Disposal of Timber.**

MAJCOM must determine the feasibility of disposing of land where marketable timber exists. Use the AFCEE/ESER forester to help make this determination. Planned forest product sales may continue on lands reported as excess until actual disposal occurs.

4.8.1. If the forested areas are planned to become public parks or will be used for outdoor recreation, clearcutting is prohibited. Thinnings, intermediate cuttings, and salvage cuttings may be done if the forest management plan already calls for these activities within the next five years. **NOTE:** Timber sales are considered real estate sales when the timber is standing.

#### **4.9. Disposal of Family Housing.**

Make units available to GSA as intact as possible. Give special consideration to the disposition of equipment, appliances, and furnishings to make sure items which are essential to the occupancy of the unit are retained. Property is classified as follows:

4.9.1. **Related Personal Property.** Furniture, furnishings, minor appliances and similar items may not be removed or disposed of until accountability is transferred from the Equipment Authorization Inventory Data (EAID) account of the Authorization and Allowance Section of the installations Office, Chief of Supply to the real property account as Real Property Installed Equipment (RPIE). See AFI 32-9005, *Real Property Accountability and Reporting*.

4.9.2 **Real Property Installed Equipment (RPIE).** See attachment 12 for a partial list of RPIE items. These items include appliances such as window air conditioners, stoves, refrigerators, built-in range

hoods, built-in dishwashers, and similar items. This equipment is an integral part of the living unit and must not be removed.

4.9.2.1. Identify RPIE on SF 118c, **Related Personal Property**. Do not remove RPIE from housing units reported to GSA for disposal without GSA's prior concurrence. Process additions or deletions by SF 118c (correction).

4.9.2.2 Provide adequate security and protection from theft, fire, and the elements and keep the number of personnel having access to these buildings to an absolute minimum. Remove plug-in type appliances and equipment and store them if necessary to afford protection, prevent deterioration, vandalism, cannibalization, and other destructive acts. Mark property removed and return it to the unit for disposal by GSA.

4.9.3. **Related Personal Property.** List personal property on a DD Form 1149, *Requisition and Invoice/Shipping Document*. Support this listing by a machine listing of the property and building in which personal property is located. Prepare the DD Form 1149 with sufficient copies to satisfy the BCE accounting requirements and allow preparation of the GSA prescribed SF 118c for subsequent submission to the District Engineer. List Army and Air Force Exchange Services (AAFES) or nonappropriated fund (NAF) personal property on a separate SF 118c. Property listed may not be removed without the prior approval of the disposal agency. Obtain forms from the appropriate GSA Real Estate Sales Office. See attachment 13.

4.9.4. When DD Form 1149 is accepted, establish and maintain a file, by building, of all applicable data and forms. Make arrangements with GSA or other authorized disposal agency to obtain the authenticated documents showing final real property disposition. These files are subject to audit.

#### **4.10. Transfer of Excess Real Property to Other Military Departments and Government Agencies.**

GSA is responsible for transferring excess federal real property to other federal agencies. Refer any inquiries from other federal agencies on excess Air Force real property which has been reported to GSA to the appropriate GSA regional Real Estate Sales Office. Send an information copy to AFREA/DR. Refer inquiries to AFREA/DR if the property has not been reported as "excess".

#### **4.11. Flood Plain Management, Executive Order 11988.**

Take into consideration flood hazards associated with properties located in flood plains that are proposed for disposal through the GSA to nonfederal public or private interests. See AFI 32-7064, *Integrated Natural Resource Management*. The instrument of conveyance must reference uses that are restricted under identified federal, state, or local flood plain regulations. If extreme circumstances warrant, property may be withheld from disposal.

#### **4.12. Wetland Consideration.**

When government-owned wetlands are considered for disposal to nonfederal public or private interests, the Air Force must include in the instrument of conveyance the uses that are restricted under federal, state, or local wetland regulations. See AFI 32-7064 for more information.

#### **4.13. Protection and Maintenance of Excess Installations.**

The Air Force is responsible for accountability, custody, and maintenance of excess real property and related personal property reported to GSA until the transfer and disposal are complete. The Air Force is responsible for the cost of maintenance, pending transfer or disposal, for not more than 12 months plus the period to the first day of the succeeding quarter of the fiscal year after the **date of acceptance** of the report of excess by GSA. This time period is extended by the length of time any subsequent deferral is requested on behalf of any part of DoD.

4.13.1. At the time the SF 118 and related forms are submitted to GSA by the District Engineer, the MAJCOM must negotiate a protection and maintenance (P&M) contract with GSA to establish the level of protection and maintenance the Air Force needs GSA to fund when the Air Force DE is accepted. If the Air Force requires a higher level of protection and maintenance than GSA will support, then the AF activity must assume the responsibility for funding the shortfall amount. If a written agreement does not exist with GSA for protection and maintenance, the Air Force is responsible for all protection and maintenance without reimbursement from GSA.

#### **4.14. Proceeds from Disposals.**

Deposit net proceeds received from transfer or other disposition of Air Force real property and related personal property into Special Fund Account 975188.57, Disposal of Department of Defense Real Property. This does not apply to base closure real property and military family housing. See Section 2805 of Public Law 101-510, Nov 5, 1990.

4.14.1. The amount deposited in the account is available (to the extent provided in subsequent appropriation Acts) as follows:

4.14.1.1. Fifty percent is available to the installation generating the proceeds for facility maintenance and repair or for environmental restoration.

4.14.1.2. Fifty percent is available to the Department of the Air Force (unless returned to the MAJCOM or installation) for facility maintenance and repair or for environmental restoration.

4.14.2. As part of the annual request for authorizations of appropriations to the House National Security Committee and Senate Armed Services, each transfer and disposal accomplished during the preceding fiscal year must be listed and explained. Also include how the proceeds were used from these action in budget Exhibit PB-34, Revenue from Air Force Controlled Real Property. This is prepared by each MAJCOM and submitted to AFREA/DR for the President's Budget Submission.

#### **4.15. Disposal of Family Housing Without Land.**

Send all requests for disposal of adequate or inadequate family housing with AF Form 300, *Facility Disposal* to MAJCOM's Chief of Programs Division, Civil Engineer (AF/ILEP). This also includes disposal requests for mobile homes and family housing in the way of new construction. This disposal authority may be delegated by the MAJCOM in writing to the installation wing commander or base commander.

4.15.1. Authority to dispose of family housing will not be granted unless there is a continuing military requirement for the underlying land or the building has no salvage value or value for offsite removal.

4.15.2 When family housing has been approved for disposal without the underlying land, make an effort to sell the buildings to maximize proceeds to be credited to Military Family Housing Operation and Maintenance (O&M) Account 57X07045. Make sure mandatory contract clauses listed in attachment 14 are in the invitation for bid.

4.15.3. All disposals of family housing with the underlying land must be done by GSA if the disposal value exceeds \$15,000. Family housing located on land to be exceded will not be demolished or disposed of separately from the land, but will be reported on SF 118 to GSA in its entirety. Family housing disposal requests must include:

4.15.3.1. Reason for the disposal request.

4.15.3.2. Statement as to whether the disposal includes or excludes the underlying land.

4.15.3.3. Photographs (8 by 10 inches) of the family housing units, highlighting deteriorated areas or showing cause prompting the disposal request.

4.15.3.4. Cost of operation and maintenance (O&M) of the unit for the past 12 months.

4.15.3.5. Estimated cost of rehabilitation to bring the unit up to usable condition.

4.15.3.6. Proposed method of disposal. Examples of methods are sale, salvage, demolition, conversion,

or contract removal. Also, a statement as to why unit cannot be sold for offsite removal.

4.15.3.7. Present number of applicants for that bedroom count on the appropriate family housing waiting list.

4.15.3.8. Unit's occupancy status such as vacant or occupied.

4.15.3.9. Estimate of current fair market value.

4.15.3.10. Written certification from the installation commander that the building contains or does not contain asbestos. See attachment 23.

4.15.4. All requests for disposal of family housing located on the site of new construction must state the approved MCP project title, fiscal year approved, and construction start date.

**NOTE:** Make an effort to sell these units for offsite removal before construction starts, rather than including demolition in the new construction contract.

4.15.5. **Conversion of MFH to Other Uses.** All requests to MAJCOMs for approval for conversion of family housing to other use (AF Form 123, as prescribed in AFI 32-9002, *Use of Real Property Facilities*) must show that there is no current or foreseeable family housing requirement for the unit. Include complete justification to support the request.

#### 4.16. Family Housing Reports of Excess.

Report excess military family housing and its related land and improvements to GSA on SFs 118, *Report of Excess Real Property*, separate from the SF 118 for other portions of an excess installation. This form is prescribed by General Services Administration (GSA.)

4.16.1. Use separate schedules as follows:

4.16.1.1. SF 118a - Buildings, Structures, Utilities and Miscellaneous Facilities

4.16.1.2. SF 118b - Land

4.16.1.3. SF 118c - Related Personal Property

4.16.2. Schedules must show:

4.16.2.1. Number of structures by type such as Wherry or Capehart.

4.16.2.2. List garages and specify if they are attached or detached.

4.16.2.3. Gross square footage of each building

4.16.2.4. Narrative information considered pertinent.

4.16.2.5. Include the statement: **“Net proceeds from the sale of family housing, including related land and improvements, must be remitted to the Department of the Air Force for deposit to Military Family Housing O&M Account 57X7045.”**

#### 4.17. Restoration of Land Used by Permit From Other Agencies.

After approval by SAF/MII, the Air Force may remove improvements and take any other action necessary to restore land used if restoration is required by the permit which made the land available to the Air Force. Use O&M or MCP funds for this purpose. **NOTE: Such restoration ordinarily is precluded by the “interdepartmental waiver doctrine.”** See Comptroller General Decision No. B-194861, November 20, 1979.

#### 4.18. Withdrawn Public Land.

When it is determined that the Air Force has no need for withdrawn or reserved public land, the Corps of Engineers, after SAF/MII approval, will file a "notice of intention to relinquish" (two copies) in the state office of the Bureau of Land Management. Send information copies to the appropriate MAJCOM, GSA Regional Real Estate Sales Office (Attachment 13), and AFREA/DR. Include the following with the notice:

4.18.1. Name and address of the Air Force activity holding real property accountability of the land.

4.18.2. The Public Land Order which withdrew or reserved the lands for the Air Force.

- 4.18.3. Legal description and acreage of the lands if the order or withdrawal or reservation is not sufficient to identify them.
- 4.18.4. Description of improvements on the land.
- 4.18.5. Extent the lands are contaminated and the nature of the contamination.
- 4.18.6. Decontamination measures taken to protect the public from contamination and proposals to maintain protective measures.
- 4.18.7. How lands have been changed in character other than by construction of improvements.
- 4.18.8. Extent the lands or resources have been disturbed and measures taken or proposed by the Air Force to restore the property.
- 4.18.9. If improvements have been abandoned, provide certification that the Air Force has exhausted GSA procedures for disposal and that the improvements abandoned have no value.
- 4.18.10. Describe easements or other rights and privileges granted covering the land.
- 4.18.11. List terms and conditions necessary to be incorporated in the disposition to protect the public interest.
- 4.18.12. Provide information relating to the interest of any agencies or individuals that has been shown in acquiring use of or title to the property or any portion of it.
- 4.18.13. Provide recommendations for disposal.

#### **4.19. Screening Excess Real Property.**

Accomplish all screening of excess real property in writing. Oral screening is accepted in an emergency, but it must be confirmed in writing at an early date. Responses to screening must be made within 30 days. Take the next step in disposal within 60 days after issuance of the Notice of Availability if there is no expressed interest for the property.

4.19.1. **MAJCOM Screening.** Prepare a Notice of Availability and circulate it to all other military activities within a 50-mile radius of the excess installation if the property is not exempt from screening. Include the following in the notice:

- 4.19.1.1. Terms of leases.
  - 4.19.1.2. Description of the property.
  - 4.19.1.3. Date possession can be surrendered and date the renewal of contract must be exercised.
- 4.19.2. **MAJCOM Screening Exemptions.** Screening is not required for:
- 4.19.2.1. Excess leased space assigned by GSA if annual rental is \$200,000 or less
  - 4.19.2.2. Excess property used, occupied, or controlled by the government under a lease, permit, license, easement, or similar legal instrument when:
    - 4.19.2.2.1. Lease or other instrument is subject to termination by the grantor or owner of the premises within 9 months after the date it becomes excess.
    - 4.19.2.2.2. Remaining term, including renewal rights, will provide less than 9 months of use and occupancy after the date it becomes excess.
    - 4.19.2.2.3. Term of the instrument will preclude transfer or use by another federal activity or disposal.
  - 4.19.2.3. Instrument provides for use and occupancy of space for office, storage, and related activities, which does not exceed a total of 2,500 square feet.

4.19.3. Exemptions do **not** apply if:

- 4.19.3.1. Government improvements are located on the premises.
- 4.19.3.2. Continued use, occupancy, or control of the property by other governmental activities is needed to operate, produce, or maintain other property declared excess and reported to GSA for disposal.

4.19.4 **HQ USAF Screening.** When AFREA/DR receives the DE from a MAJCOM, a determination will be obtained from AF/ILXB if any of the following facilities being excessed are required by another

**MAJCOM.**

- 4.19.4.1. Federal land with or without improvements.
- 4.19.4.2. Leased property where acquisition is beyond MAJCOM approval authority as outlined in AFI 32-9001, *Acquisition of Real Property*.
- 4.19.4.3. Leases, easements, and other interest in land or improvements where estimated current value exceeds \$200,000 or whose current value and the current value of any government improvements combined, exceeds \$200,000.
- 4.19.5. **GSA Screening.** When GSA receives the DE, they will screen the excess real property with federal agencies during the federal agency utilization screening period.
- 4.19.6. **Notices of Availability.** Upon receipt of a Notice of Availability of excess real property, MAJCOMs will screen it to determine if new or pending requirements can be satisfied by transfer of the property or allow for cancellation of a more costly existing lease.
- 4.19.7. **Procedure When There Is A Requirement for Screened Property.** If screening produces a requirement in another MAJCOM, dispose of the property by transferring the property in accordance with guidance found in AFI 32-9005 and in Chapter 5 of this Handbook. The MAJCOM that acquires excess leased property must assume and continue any leasehold interest involved.
- 4.19.8. **Procedure When There Is No Requirement for Screened Property.** If screening does not produce a requirement, continue disposal as follows:
  - 4.19.8.1. MAJCOMs within the limit of authority in AFI 32-9004, *Disposal of Real Property*, will authorize and request the District Engineer to initiate and consummate the disposal. Furnish AFREA/DR a copy of the disposal authorization.
  - 4.19.8.2. AFREA/DR within the limit of authority in AFI 32-9004 will issue a "preliminary" real estate disposal directive to the Chief of Engineers and send an information copy to the MAJCOM and the Installation concerned if the disposal is \$200,000 or less.
  - 4.19.8.3. If the estimated value is more than \$200,000, AFREA/DR will obtain SAF/MII approval. A final disposal directive will not be issued until a "report of facts" has been made to the House National Security Committee and Senate Armed Services Committee and their clearance is received in writing by the Secretary of the Air Force. An information copy will be sent to the Commissioner, Public Buildings Service (PBS), General Services Administration, 18th F Streets, N.W., Washington, D.C. 20405.
- 4.19.9. **Stewart B. McKinney Homeless Assistance Act Screening.** Prior to disposal of Air Force real property, ensure compliance with the "McKinney Act". See attachment 23 for guidance.

**4.20. Corps of Engineers Action.**

Once the Corps of Engineers receives the final disposal directive, they will send it to the responsible District Engineer for appropriate action. The District Engineer office then prepares a preliminary SF 118 and related SFs 118a and 118b. Concurrently, BCEs must develop and send an SF 118c to the District Engineer, who will:

- 4.20.1. Advise MAJCOM and arrange a date for a screening conference. At this conference GSA regional representatives, installation, and MAJCOM representatives will agree upon preliminary disposal action. Include FAA if the disposal involves flying or navigational facilities.
- 4.20.2. Inform conference representatives of any potential or known factors that may help or hinder the disposal action. Help determine the interim use of the property and recommend the protection and maintenance level for the facility predicated on its probable disposition and interim use. Examine the preliminary SF 118 and related forms with the GSA regional Real Estate Sales Office representative in coordination with the BCE.
- 4.20.3. Submit the preliminary SF 118 and related forms, title reports and other data to the appropriate GSA Real Estate Sales Office and confirm the report. See attachment 13 for a list of the GSA Real Estate Sales Offices and their zones of coverage.

- 4.20.4. Issue a final, corrected, or withdrawal SF 118 and related forms, as appropriate, upon receipt of the final real estate directive.
- 4.20.5. Delete individual land tracts, facilities, and personal property on a continuing basis as GSA or other transfer or disposal documentation is received. Zero balance all real property records and related personal property items as disposal is completed. Prepare final certificates with applicable summaries closing out the records which are held for terminal audit. (See AFI 32-9005 and Chapter 5 of this Handbook.)
- 4.20.6. Report completion of disposal to AFREA/DR, the MAJCOM and the excess Air Force Installation.

***Section 4B—Disposal of Land or Land Interests With or Without Improvements and Leaseholds Having Remaining Term of Five Years or More***

**4.21. When to Submit a Declaration of Excess (DE).**

Submit a DE as soon as it is determined that real property is excess to the needs of the installation. Submit four copies in narrative form. See Attachment 15 for format. Prepare a separate DE for each annex to an installation which has a separate installation code.

**4.22. Disposal Authority Levels and Procedures.**

The level of authority to approve disposal of land or land interests, with or without improvements, and leaseholds are as follows:

- 4.22.1. Congress. Do not take any action regarding disposal of real property that is subject to the reporting requirements of 10 U.S.C. 2662 until after expiration of 30 days from the date the Title 10 disposal report is submitted to the House National Security Committee and Senate Armed Services Committee by SAF/LLP. After this waiting period has passed and the receipt of the clearance in writing from the committees by the Secretary of the Air Force, disposal action may proceed. The same also is required if the Air Force interest in real property is by permit or license from another federal agency or military department and the Air Force improvements to the real property have a current fair market value of more than \$200,000.
- 4.22.2. Deputy Under Secretary of Defense (Industrial Affairs and Installations) approves all transfers of real property to a state or its political subdivisions.
- 4.22.3. Deputy Assistant Secretary of the Air Force (Installations) (SAF/MII) approves disposals of the following:
- 4.22.3.1. All Air Force controlled land (public land, acquired or permitted) with or without improvements up to an estimated current fair market value more than \$200,000, whether disposal is accomplished by:
- 4.22.3.1.1. Report of excess to a disposal agency.
  - 4.22.3.1.1. Conveyance, exchange, or transfer under specific legislative authority.
  - 4.22.3.1.1. Termination of a leasehold with substantial government-owned improvements.
  - 4.22.3.1.1. Other transfer.
  - 4.22.3.1.1. Sale pursuant to a production contract.
  - 4.22.3.1.1. Return of improved or unimproved public lands of more than 500 acres, irrespective of value.
  - 4.22.3.1.1. Other conveyance.
- 4.22.3.2. Leases, easements, and other interests in nonfederal land or improvements where estimated current fair market value (or annual rental) is less than \$200,000. Also, interests where the estimated current fair market value (or annual rental) and the estimated current fair market value (or annual rental)

of federal improvements combined is more than \$25,000.

4.22.3.3. Requests for “holds” and “withdrawals from excess” for real property reported to GSA for disposal. SAF/MII, when necessary, communicates directly with:

4.22.3.3.1. Department of Interior on all disposal actions relating to historic real property listed in or eligible for listing in, the National Register of Historic Places.

4.22.3.3.2. The National Oceanic and Atmospheric Administration (NOAA) on all disposal actions involving coastal zone management.

4.22.4. Approval Authority of AFREA/DR. AFREA/DR approves the following:

4.22.4.1. Abandonment of improvements on excess nonfederal land

4.22.4.2. Relinquishment of Air Force-occupied GSA space located outside the National Capital Region (ONCR), regardless of GSA rental charges. (GSA space in the National Capital Region is under the control of the Office of the Secretary of Defense - Washington Headquarters Service, Space Policy and Acquisition Division (WHS-SPAD).

4.22.4.3. Quitclaim deeds, which may be approved and executed, for conveyance of excess property and Air Force interests in land which have a value of less than \$15,000.

4.22. Recruiting Space. Air Force recruiting space is handled by HQ USAF Recruiting Service (HQ USAFRS), Randolph AFB, TX. The Executive Agent for disposal of this type of space is the Corps of Engineers, Department of the Army.

#### **4.23. Approval Authority of the Major Command (MAJCOM).**

The MAJCOM may approve the disposal of leases, easements, and other lesser interests in nonfederal land in the United States (with or without improvements) with a fair market value of \$200,000 or less.

### ***Section 4C—Environmental Responsibilities and Concerns***

#### **4.24. Contaminated Burial Sites with Explosives or Chemical Agents.**

Air Force policy does not currently allow for the burial of hazardous materials. Existing sites on Air Force bases and on unused weapons or demolition ranges exist. Therefore, known and suspected burial sites must be posted with warning signs for active demolition ranges. (See TO11A-1-42).

4.24.1. Sites formerly used for disposal of hazardous wastes, contaminated by hazardous substances, leakage, or spills, and excess real property contaminated with ammunition and explosives will not be released to the general public until it has been decontaminated. Surface decontamination of excess ranges accomplished in the past is no longer acceptable when title for excess Air Force real property is to be transferred outside DoD.

4.24.2. Radioactive Waste. Radioactive waste generally can be categorized into electron tubes containing radionuclides, low-level radioactive wastes generated in nuclear weapons maintenance operations and radioluminescent materials containing radium. The authority to bury radioactive waste was rescinded in 1959 and the Air Force converted to a contractor disposal system. See AFI 40-201, ***Managing Radioactive Material in the USAF***

4.24.2.1. Identify existing radioactive waste burial sites in the base comprehensive plan. (See AFI 32-7062, ***Base Comprehensive Planning***) Post these sites with an appropriate warning sign.

4.24.2.2. Disinterment of all radioactive waste burial sites is not considered necessary or practical. Only remove this buried waste when there is a mission-essential need for the site or when the site is proposed for disposal. The BCE and the Armstrong Laboratory, Occupational Environmental Medicine (AL/OEM), 2402 E Drive, Brooks AFB, TX 78235-5114 are responsible for developing procedures. Obtain approval of HQ USAF/SG before disinterment actions are taken.

#### **4.25. Identification of Critical Habitat for Federally Listed Endangered Species.**

Federal actions must not jeopardize the continued existence of endangered or threatened plants and wildlife, or result in the destruction or adverse modification of critical habitat. The location of critical habitats must be annotated on the real property records. Existence of critical habitat could limit use of the property. See AFI 32-7064 for more information.

#### **4.26. Annotating Location of Closed or Open Solid or Hazardous Waste Disposal Sites On Real Property Records.**

The location of closed or open solid or hazardous waste disposal sites must be annotated on real property records. (See AFI 32-9005). Records are necessary for planning future construction or to support the preparation of a Notice of Contamination (See attachment 19) required for disposal of excess real property. This is not a requirement for Phase I of the Installation Restoration Program (IRP) and it should not be included in the statement of work, however, it should be accomplished after the survey is completed.

4.26.1. If an affected area is proposed to be excessed, have a licensed surveyor survey the area and prepare a legal description to determine and show the exact location of the closed or open solid or hazardous waste disposal sites. For reasons other than excessing, the survey may be conducted by installation in-house personnel. However, the survey must be taken from a permanently established benchmark.

4.26.2. Consult federal, state and local laws and regulations, especially for open operations because they may require real property owners to record sites by a legal description only.

4.26.3. Annotate the legal or approximate boundary description on the installation real property records. Send a copy of the legal or approximate boundary description to the appropriate District Engineer's office for annotation on the installation's real estate maps.

4.26.4. If the exact location of a closed landfill operation is not known or obtainable from the IRP report, record an approximate boundary description from a permanently established benchmark on the installation's plat maps.

#### **4.27. Decontaminating Real Property.**

Complete an environmental baseline survey (EBS) and an asbestos survey when it is determined that property is or will become excess to Air Force needs. See AFI 32-7066, *Environmental Baseline Surveys in Real Estate Transactions*, for more information. Do this to determine if the property is contaminated or contains asbestos. See attachment 18 for Installation Asbestos Survey Procedures.

4.27.1. The Air Force is responsible for arranging for decontamination of excess real property subjected to hazardous materials. If non-Air Force tenants on Air Force installations are responsible for contamination, they are responsible for furnishing records of it to the installation real property officer. Tenants are responsible for any remedial or cleanup actions required with respect to its hazardous waste.

4.27.2. O&M funds are not normally used to fund the cleanup of hazardous waste; however, an example of when O&M funds can be use is if a building or other construction project must be located in an area containing hazardous substances that would not otherwise have to be cleaned up absent the project. The funding source for cleanup of hazardous waste is the Defense Environmental Restoration Account (DERA) and cleanup under the Resource Conservation Recovery Act of 1976 (RCRA), Public Law 94-580, October 21, 1976, is with Environmental Compliance funds. Funding is determined by the environmental protection function at the base. Deeds must contain a notice of hazardous waste that was on the land, a covenant that it was cleaned up, and any remedial action later found necessary will be performed by the United States. Include notice of known hazardous wastes in announcements that the property is "for sale".

4.27.3. Document the extent of previous contamination by executing a Certification of No Contamination or Certificate of Contamination. Attach one of these, as appropriate, and a Certification of PCB Clearance. Format for these certificates are found in AFI 32-7066. Declaration of excess must contain these certificates.

4.27.4. Follow the environmental impact analysis process outlined in AFI 32-7004 and 32-7061.

#### **4.28. Ordnance Contamination.**

Complete a Certificate of Clearance in accordance with AFI 13-212v2, *Weapons Range Management*. This must be approved by the Department of Defense Explosive Safety Board (DDESB). Send the Certificate of Clearance with the Report of Excess (SF 118) when it is sent to the General Services Administration for disposal.

#### **4.29. Asbestos Contamination.**

MAJCOMs are responsible for asbestos decontamination of improvements on their installations scheduled for disposal. When excessing real property ensure that all federal and applicable state environmental legislation and regulations are followed. Installation commanders, in coordination with their MAJCOM, must ensure there is proper decontamination of their real property.

4.29.1. Real property may be released without action to decontaminate it; however, at a minimum, undertake sufficient decontamination to ensure protection of public health, welfare, and the environment. Document in all Declarations of Excess (DE) or AF Forms 300, as appropriate. (See paragraph 4.27.3).

4.29.2. See attachment 17 for detailed asbestos abatement and removal procedures to be followed prior to building disposal. Guidance on other aspects of the asbestos program are provided by HQ Air Force Civil Engineering Support Agency, HQ AFCESA/CES, Tyndall AFB, FL 32403-5319.

#### **4.30 Lead-Based Paint (LBP).**

Section 1018 of Public Law 102.550 (Title X), *The Residential Lead-Based Paint Hazard Reduction Act of 1992* (42 USC 4852d), directed the Environmental Protection Agency (EPA) and the Department of Housing and Urban Development (HUD) to issue regulations requiring the disclosure of known lead-based paint and/or lead-based paint hazards by persons selling or leasing housing constructed before the phaseout of residential lead-based paint use in 1978. The resulting regulations were promulgated at 40 Code of Federal Regulation (CFR) Part 745 (EPA) and 24 CFR Part 35 (HUD) as the Final Disclosure Rule. Air Force housing offices must disclose for all personnel being newly assigned to pre-1978 MFH. The disclosure regulations apply to the acceptance (leasing) of Air Force MFH by qualified occupants and the sale (transfer of Air Force MFH under Base Realignment and Closure (BRAC) and non-BRAC property disposals. See attachment 25 for more information

#### **4.31. Polychlorinated Biphenyls (PCBs).**

Remove and properly dispose of any out-of service PCB transformer or other PCB electrical equipment. See AFI 32-7066 for sample of Certification of PCB Clearance. PCB transformers, capacitors and electrical equipment left in use at the time of transfer to a new owner may be left in place if allowed by federal regulations issued under the Toxic Substances Control Act, Title 15 United States Code, Section 2601 et seq. If federal regulation prohibit the use of any of the PCB electrical equipment, remove and properly dispose of the equipment prior to excessing. Request the assistance of your MAJCOM if necessary.

#### **4.32. MAJCOM Responsibilities for Past Hazardous Waste Disposal Sites.**

Review IRP studies to see if there are any past hazardous waste disposal sites on the real property to be excised or on adjacent federally owned or controlled property from which contaminants may have migrated. Determine, by record search, onsite inspection, and interviews with current and former employees whether any hazardous substance was stored on the real property being excised. If hazardous waste sites exist, installations must clean them up.

#### **4.33. Underground Storage Tanks.**

Follow all federal and state regulations regarding abandoned/leaking underground storage tanks. Flush, clean and seal underground tanks to prevent accidental use. Mark locations on the Base Comprehensive Plan (See AFI 32-7062). Clean up soil and ground water contamination caused by leaking underground storage tanks.

#### **4.34. Abandoned Hazardous Waste and Material Containers.**

Installations must remove and properly dispose of hazardous waste or hazardous material containers.

#### **4.35. Clearance Certificates.**

4.35.1. Reports of Excess Property (SF 118s) must show that real property is clean and free of all hazardous substances at the time of submittal. Use the following certificates:

4.35.1.1. Certification of Contamination

4.35.1.2. Certification No Contamination Certificate

4.35.1.3. Certification of PCB Clearance

**NOTE:** See AFI 32-7066, Environmental Baseline Surveys in Real Estate Transactions, for sample certifications.

4.35.2. Include these certificates with the Declarations of Excess. They must be signed by the base commander, or chairperson MAJCOM Environmental Protection Committee, or MAJCOM Civil Engineer. If the base is inactive have the chairperson of the MAJCOM Environmental Protection Committee, the installation bioenvironmental engineer, and the installation environmental coordinator must sign the certificates.

### ***Section 4D—Disposal of Historic Real Property***

#### **4.36. Preserving Historic Property.**

Take steps to preserve the historic environment by locating, inventorying and evaluating all properties that meet the criteria for the listing in the National Register of Historic Places. Record searches and professional field reconnaissance may be necessary for this determination. State historic preservation officers (SHPO) and local officials must be contacted for advice concerning local prehistoric and historic resources. Coordinate with the MAJCOM and HQ USAF/ILEV. Ensure that these properties are not inadvertently damaged or transferred before being evaluated and inventoried. See Executive Order 11593 for more information.

#### **4.37. The National Historic Preservation Act of 1966.**

This Act (Title 16 United States Code, Section 470 et seq.) requires agencies to examine properties that have historic value and take various steps to ensure protection for historic places and properties. The Air Force must consult (Section 106 Consultation) with the Advisory Council on Historic Preservation at least 90 days in advance before undertaking any action that could adversely affect property eligible

for listing or listed on the National Register of Historic Places. Transfer or sale of property, without adequate conditions or restrictions regarding preservation, maintenance, or use, can result in an adverse effect. HQ USAF/ILEV is the Office of Primary Responsibility (ORP) for historic preservation.

#### **4.38. The Archeological and Historic Preservation Act of 1974.**

This Act (Title 16 United States Code, Sections 469a-1 through 469c) provides for the protection of significant scientific, prehistorical, historical or archeological data in connection with any federal, federally assisted, or federally licensed activity or program. Notify the Secretary of the Interior when a federal, federally assisted, or federally licensed action may cause irreparable loss or destruction of significant scientific, historic, or archeological data.

#### **4.39. National Register Properties.**

Determine the eligibility of real property for listing in the National Register of Historic Places. Recipients of National Register properties must submit proposed disposal plans to the National Park Service for approval. Allow 90 days for review to ensure that significant historic values will be preserved.

4.39.1. Determine the adverse effect when proposed disposals of National Register property do not ensure the property's protection. If the Advisory Council concurs with the disposal determination, action may proceed under one of the following conditions:

4.39.1.1. Include protective covenants in the DE as a condition of sale or transfer.

4.39.1.2. Ensure that the Advisory Council develops and negotiates a Memorandum of Agreement with GSA, Air Force, State Historic Preservation Officer, and Advisory Council to mitigate adverse effects by requiring certain actions by the grantee.

4.39.2. GSA will enforce conditions of property transfers by protective covenants, maintenance requirements, and avigation easements.

#### **4.40. Sale of Historic Real Property to the Public.**

Include advertising that outlines the tax benefits available to the property recipients for rehabilitation of historic property. This is prescribed in the Tax Reform Act of 1976, as amended, and 36 CFR 67.

#### **4.41. Disposal of Historic Buildings on Nonexcess Land.**

In cases where historic buildings on nonexcess land are pending disposal, see instructions for AF Form 300 in attachment 21.

### ***Section 4E—Disposal of Excess or Deteriorated Buildings and Improvements on Nonexcess Land***

#### **4.42. Disposal of Deteriorated Buildings and Improvements on Nonexcess Land.**

See AFI 32-9004 for levels of approval authority, criteria for disposal, and responsibilities.

#### **4.43. AF Forms 300, Facility Disposal .**

As soon as it is validated by the installation Facilities Board that buildings or other improvements on nonexcess land meet the criteria for disposal found in AFI 32-9004, prepare and submit an AF Form 300 to the appropriate approval authority. See attachment 21 for instructions on how to complete this form.

4.43.1. AF Forms 300 are used to document disposal of buildings, railroad tracks, and other structures. Improvements, such as barrier arrestors, blast deflectors, elevators, and utility lines must be removed

and returned to supply or salvaged. Process work orders for this removal and turn-in to supply as prescribed in AFI 32-9005 and Chapter 5 of this Handbook

#### **4.44. Buildings Containing Hazardous Materials.**

Before execution of the AF Form 300, check facilities to determine if they contain materials considered to be hazardous, such as asbestos, which would be released into the environment by standard methods of demolition or disposal. See attachments 17, 18, and 20 for detailed guidance for reporting buildings contaminated with asbestos.

4.44.1. When checking facilities to determine if they contain hazardous materials, use the facility records such as "as-built" drawings, and specifications. This does not require extensive physical testing, with the exception of asbestos. Furnish the results to the appropriate disposal agency for dissemination to prospective purchasers, if disposal is to be accomplished by sale.

#### **4.45. Buildings Destroyed by Fire.**

MAJCOMs may approve AF Forms 300 for buildings destroyed by fire or "Acts of God" that damage buildings and cause a hazard to the public within their approval authority. This authority may be delegated to installation commanders at the MAJCOM's discretion

#### **4.46. Disposing of Buildings and Structures by Burning.**

Do not dispose of excess buildings and structures by burning without prior approval of the MAJCOM. This authority may be delegated to installations commanders at the MAJCOM's discretion. Requests must contain a complete justification and the comments or recommendations of the local Air quality Control Regulatory Authority as well as written certification that the facility contains no friable asbestos or asbestos containing materials. A copy of an approved Air Form 300 must be attached to each request. See attachment 21 for information on how to complete the AF Form 300.

#### **4.47. Screening.**

See Section 4A.

#### **4.48. Donating Excess Real Property.**

4.48.1. When excess real property has no commercial value, it may be donated to any agency of the federal government or to a "public body." However, before donating any property there must be:

4.48.1.1. No reasonable prospect of its sale for any purpose

4.48.1.2. Evidence that the estimated cost of continued care and handling is greater than its estimated current sales proceeds.

4.48.2. Federal real property **cannot** be donated to any private person, to any philanthropic, nonprofit, or patriotic organization. Examples are church, Boy Scout groups, Salvation Army, American Legion, Civil Air Patrol. (See Title 40 United States Code, Section 483(h).)

#### **4.49. Transferring Excess Buildings or Improvements on Nonexcess Land.**

Use a DD Form 1354, *Transfer and Acceptance of Military Real Property*, to transfer excess buildings or improvements on nonexcess land within a MAJCOM and between MAJCOMs or between military departments. The gaining agency or unit will assume responsibility for all cost incidental to the transfer. When transferring between military departments, AFREA/DR will request the USACE to do the transfer under 10 U.S.C. 2571. This law prescribes an exchange of Memoranda between the Secretaries of the military departments preceding the transfer. See AFI 32-9004, *Disposal of Real Property*, for more

information.

#### **4.50. Disposal by Sale or Salvage of Real Property With No Estimated Current Value.**

If it is determined that the excess facility has no estimated current value, the installation commander may dispose of it in whatever manner that best serves the interest of the federal government. This method may include sale, salvage by in-house capability, removal by contract, or donation to public bodies.

#### **4.51. Disposal by Sale or Salvage of Real Property With Value.**

After receipt of the appropriate approval authority, submit an AF Form 300 to the District Engineer for disposal by sale. Include adequate data to enable the Air Force real estate agent to proceed with the disposal.

4.51.1. After submittal of the AF Form 300, do not remove any installed equipment from the facility.

4.51.2. If excessive site restoration is required, such as removal of slabs, piers, reseeding or leveling, this may be done in-house or by contract; however, it does not need to be part of the disposal-by-sale contract.

4.51.3. The District Engineer issues an invitation for bid and, if the results are negative, the AF Form 300 will be returned for appropriate action.

4.51.4. If the disposal is not completed within 6 months after the AF Form 300 is approved, report the delay to the MAJCOM with a new disposal date.

#### **4.52. Buildings Committed to Congress for Disposal.**

In the annual presentation of the Military Construction Program (MCP) to the Congress, buildings frequently are identified on DD Form 1391, *FY\_\_ Military Construction Project Data*, or during testimony, for disposal when a replacement building is completed. In this manner, Congress is advised that existing buildings are so obsolete, substandard, inadequate, widely dispersed, or deteriorated to a point, that their rehabilitation or modification is neither practical nor economical.

4.52.1. Due to the congressional commitment and the Air Force energy reduction goals, these facilities must be disposed of as soon as replacement facilities are available. Therefore, any facility committed for disposal will be immediately disposed of when the new facility is occupied, unless a substitute building is approved for disposal, or a waiver for its retention is obtained from the MAJCOM's civil engineer.

4.52.1.1. Request for substitution or waiver for retention of committed buildings must be submitted to the MAJCOM's Civil Engineer with the following informational

4.52.1.1.1. A copy of the DD Form 1391 relating to the commitment to dispose of the building.

4.52.1.1.2. Applicable citation of air Force testimony to the congress relating to the disposal and condition of the building, if available.

4.52.1.1.3. A complete description of each building proposed for retention, the facility number, category code, nomenclature, condition, square footage, and the cost to the government.

4.52.1.1.4. A full explanation of the necessity to retain the building. For example, a change in mission, or an increase in assigned personnel. Any additional data that will justify the request for retention.

4.52.1.1.5. Present and proposed use of the building and duration of the requirement.

4.52.1.1.6. Complete breakout of all costs, including maintenance or project-type work associated with the retention of the building.

4.52.1.1.7. An energy analysis showing the projected annual consumption and cost for the building.

#### **4.53. Improvements in the Way of New Construction.**

If the improvements have a value of less than \$25,000, the MAJCOM may approve the disposal. If the improvements are valued at over \$25,000, the MAJCOM must send the AF Form 300 to AFREA/DR for approval. If the improvements are on a site being acquired for military construction, disposal will occur when the property is acquired.

#### **4.54. Abandoning Facilities In-Place on Nonexcess Land.**

4.54.1. Buildings and above ground structures, normally, will not be abandoned in place. However, certain facilities, such as underground utility lines, fuel tanks, etc., and items such as roads, sidewalks, and vehicle parking areas, may be abandoned in place provided one or more of the following situations exist:

4.54.1.1. The facility has been rendered unusable by new construction or the cost of removal would exceed the salvage value.

4.54.1.2. The facility has been rendered unusable by deterioration to the extent that it could not be repaired or rehabilitated.

4.54.1.3. The facility has become unusable because its continued use constitutes a hazard to the health and safety of personnel which is not rectifiable by a reasonable expenditure of funds

4.54.1.4. Such action is in compliance with pertinent existing state and local environmental laws.

4.54.2. Facilities abandoned in place will be surveyed to ensure that no hazard to health and safety remains. Underground tanks will be flushed and cleaned and sealed to preclude accidental use. Location of these facilities will be clearly marked on the Base Comprehensive Plan. See AFIs 32-70062 and 32-7005.

4.54.3. When water wells are abandoned in place they will be property capped to prevent contamination of the water source.

#### ***Section 4F—Removal and Reuse of Real Property Installed Equipment (RPIE)***

#### **4.55. Removal and Reuse of RPIE.**

For installations approved for disposal, AF/ILE directs HQ Air Force Civil Engineering Support Agency (AFCESA/DMG) 139 Barnes Drive, Suite 1, Tyndall AFB, FL 32403-5319, to inventory, evaluate, and screen selected items of installed equipment for possible removal and reuse. Send a copy of the request to the MAJCOM Civil Engineer.

4.55.1. AFCESA/DMG uses the partial inventory of eligible installed equipment list found at Attachment 12 to select items to be included in the RPIE inventory for evaluation,

4.55.2. The MAJCOM or ANG provides assistance to AFCESA for inventorying, evaluating, and screening selected items of installed equipment for possible removal and reuse. Ensure that the removal and reuse of RPIE is economically and logistically justified.

4.55.2. Before processing a DE for an installation scheduled for disposal, the MAJCOM must prepare a list of equipment for possible reuse at other Air Force installations.

#### **4.56 Inventory Procedures.**

AFCESA will ask the local host civil engineer to prepare an inventory of eligible items and other mission essential, high cost, or need-to-buy items of equipment that may be reused. Record these items on an AF Form 539, *Installed Equipment Inventory Work Sheet*. See attachment 22.

4.56.1. AFCESA and the BCE will review the AF Form 539 and list items that are economically and logistically usable and removable on a real property installed equipment availability list. AFCESA must make sure that the date of availability of the equipment entered on the list is as specified in the

installation closure plan.

4.56.2. Removal of RPIE must not destroy the structural integrity of a facility. The BCE approves removal of all RPIE. Use DD Form 1149, *Requisition and Invoice/Shipping Document*, to document the removal of RPIE from the base real property records.

4.56.3. AFCESA and the base civil engineer will use the real property installed equipment availability list, to explain the anticipated impact of removing RPIE. Use the following format when listing RPIE:

4.56.3.1. The standby generator removed from Building \_\_\_\_\_. The facility is usable, no impact.

4.56.3.2. Well pump removed from water system. Well inoperative; however, overall system is functional, and so forth.

4.56.3.3. Auxiliary pump removed from sewage system. No impact on system as a whole--remote trunk only, inoperative, and so forth.

4.56.3.4. Air conditioner removed from a special shop in southern half of the installation. Facility not usable for shop requirement; usable for storage only; and so forth.

4.56.4. The information recorded on AF Forms 539 does not give enough detail to determine if the condition of an excess generator warrants removal or retention in storage for use with future power generation projects. AFCESA and the BCE also must complete an AF Form 18, *Survey Questionnaire (Excess RPIE Diesel Generators 0.5 KW or Larger)*. List by nomenclature, national stock number, and part number all critical spare parts in stock.

#### **4.57. Screening Procedure for RPIE.**

AFCESA distributes copies of the real property availability list to MAJCOMs with an installation within a radius of about 500 miles, to ANG/CE, Andrews AFB, MD 20331-5157, and to AFREA/DR. All addressees must review the list, note their requirements and return the annotated list to AFCESA within 60 calendar days.

#### **4.58. Removal of RPIE.**

Before an activity may remove a piece of equipment, the item must be on the eligible list and one of the following conditions must exist:

4.58.1. Item must satisfy an OSD approved budget year requirement and be a "need to buy" item, if not removed from the excess installation.

4.58.2. The item must satisfy a requirement for a project in the 5-year program and be designated as a "Hold" item by AFCESA.

#### **4.59. Approval Procedures.**

AFCESA consolidates requirements from the returned list and sends it to AFREA/DR for approval and a determination of priority. AFREA/DR obtains SAF/MII and OASD clearance on items for which approval is recommended and sends copies of the list to HQ AFCESA, HQ USAF/ILEC and the MAJCOM/CEP or ANG/CE having real property accountability for the installed equipment.

4.59.1. The MAJCOM or ANG must tell the respective installation to make sure that designated "hold" items are retained when the facility is reported to GSA as "excess."

4.59.2. HQ AFCESA/DMG screens all equipment items not identified against a known project for possible inclusion in the RPIE hold program.

4.59.3. AFCESA approves and, with the help of the MAJCOM or ANG, arranges for removing, overhauling, packing, crating and shipping items approved for shipment to fill equipment requirements on the real property availability list.

#### **4.60. Removing Approved Equipment.**

AFCESA notifies the gaining command of approval of selected equipment for a current approved project and the date the equipment will be available. The gaining command must remove the items within 30 working days if the climate permits, after that date. If the equipment is not removed within the timeframe, AFCESA selects another user, designates the equipment as "hold" items, and arranges for another disposition.

4.60.1. AFCESA/DMG keeps a record of all equipment in a "hold" status and informs MAJCOMs, and ANG semiannually of available assets. This information describes each item and notes its location.

4.60.2. MAJCOMs or ANG must ask HQ AFCESA/DMG for particular available "hold" items. The request must cite the project for which the equipment is required. Project funds must be used for any necessary overhaul or repair and shipment of the "hold" item.

4.60.3. HQ AFCESA/DMG coordinates the transfer of accountability of "hold" items with the gaining activity. The gaining command uses DD Form 1149 to document accepting RPIE items and account for them on the base real property records.

#### **4.61. Storage of "Hold" Items.**

HQ AFCESA/DMG ships "hold" items listed on the approved real property availability list to a preselected depot or storage point pending further shipping instructions at a later date.

4.61.1. HQ AFCESA/DMG preserves and periodically inspects "hold" items and budgets funds for any required maintenance while items are in storage. If designated "hold", items remain in place or are installed, account for them on the base real property records.

4.61.2. HQ AFCESA/DMG ships "hold" items to the AFCESA Civil Engineer Maintenance, Inspection, Repair, and Training (CEMIRT) storage site or to a location that has a future requirement for the "hold" item. While the items are stored at a CEMIRT location, HQ AFCESA/DMG maintains the accountability. When items are stored at the installation that requires the item, accountability must be reflected on the Custody Receipt Listing of the BCE. Use Allowance Source Code 054.

#### **4.62. Costs for Removing, Overhauling, and Shipping Equipment.**

HQ AFCESA/DMG charges the cost of removing, overhauling, and shipping equipment to funds allocated to the project for which the item is requested. Shipment is made directly to the requester. HQ AFCESA/DMG funds for the cost of removing and shipping items to be placed in a depot or held in storage. Later, shipments must be funded as outlined in AFI 65-601V1.

#### **4.63. Records Disposition.**

Documentation must be disposed of as shown in AFI 37-138, *Records Disposition Procedures and Responsibilities*. For more information on disposing records, see Chapter 5, paragraph 5.2.

### ***Section 4G—Disposals Outside the United States, the Commonwealth of Puerto Rico, and Territorial Areas Administered by the United States***

#### **4.64. Submitting DEs or AF Forms 300 for Property Outside the United States, the Commonwealth of Puerto Rico, and Territorial Areas Administered by the United States.**

The procedure for processing a DE or an AF Form 300 is the same as outlined in this chapter, if the policy does not conflict with the theater policies or an international agreement. For details see AFI 32-9004.

## Chapter 5

### ACCOUNTABILITY OF REAL PROPERTY

#### *Section 5A–Real Property Records*

##### **5.1. Real Property Records.**

Record keeping is the most important and time consuming task in real property management. Real property records are used to quantify the Air Force investment in real property and justify requirements. These records are used as the basis for many decisions affecting your base. The real property officer must analyze completed work order and projects, and when necessary, prepare vouchers to account for our real property assets. Real property accounting procedures must be standardized and the real property officer must maintain close coordination with the Defense Finance and Accounting Service (DFAS). This chapter of the handbook provides information required to establish and maintain accountable real property records and report real property according to Title 10 United States Code, Section 2701.

5.1.1. Real property records provide data for cost accounting, budget, master planning, construction and installations inventory. These records are the basis for reports prepared by the base civil engineer and used by the Secretary of the Air Force, Department of Defense, General Services Administration, and Congress. By accurately maintaining real property records, we are able to support management efforts to both acquire facilities for new and changing missions and justify increases in manpower required to maintain real property assets.

5.1.2. AFREA develops, administers, and supervises Air Force real property accountable records. It is the responsibility of the Major Commands (MAJCOM) to make sure that real property accountable records are maintained for all command installations. These records must be accurate, complete and meet audit requirements.

5.1.3. When necessary, “staff assistance visits” may be performed by the MAJCOM. These trips are performed to ensure the real property records are current, accurate, and complete for all installations under their jurisdiction. All deficiencies reported by resident auditors and found during “staff assistance visits” must be promptly corrected.

5.1.4. After disposal of an Air Force installation by deed, transfer, or special legislation, real property records must be in an auditable condition prior to disposal.

##### **5.2. Maintenance and Dispositon of Records.**

Maintain and dispose of real property documentation and records in accordance with AFMs 37-123, *Maintenance of Air Force Records* and 37-139, *Records Dispositon Schedule* (applicable tables and rules), and AFI 37-138, *Records Disposition--Procedures and Responsibilities*. Transfer or shipment of records resulting from a base or facility closure must be coordinated through both the losing and gaining base records managers. Guidance regarding destruction of any records not meeting disposal criteria (AFM 37-139) must be requested from the National Archives and Records Administration through the local base records manager. Documentation must be complete to facilitate retrieval of any record throughout its life cycle.

#### *Section 5B–Appointment of Real Property Accountability Officers and Transfer of Accountability*

##### **5.3. Appointment of Officers.**

Installation commanders appoint base civil engineers, an officer or noncommissioned officer, or a United States citizen civilian employee of the civil engineer organization as the real property accountable officer. Special orders appointing the officer must be registered in the real property records and made a part of the accountable records. In some cases such as Air Force plants, contractors may assume the duties of the real property accountable officer. This approval must be in writing and approved by HQ USAF/RDCM and AFREA. In these cases, the Air Force contract management office and staff civil engineer at the nearest base must monitor the management, accounting, and reporting of real property.

#### **5.4. Transfer of Accountability Responsibility.**

A transfer document, bearing the certification, is used to transfer accountable responsibility. The document must be signed by the transferring officer and the successor. The document must show the parent or primary installation indicator code (four-alpha letters) as the account identification. Attach a list of all other installations (off-base, auxiliary airfields, leased, detached leased, and real property supported installations), which make up the entire real property account being transferred on the transfer document. This list is called the "other installation list" and must show the official installation name and installation indicator code from the AF Form 1192, *USAF Installations Characteristics Report*, RCS:SAF-MII(AR)7119, approved by AFREA. Make additions and deletions to this list as appropriate. See AFI 32-9005, *Real Property Accountability and Reporting*, attachment 2, for a sample of the Transfer of Accountability Certificate.

5.4.1. **Distribution of the Transfer Certificate.** Make one copy of the transfer document and a copy of the orders directing the transfer of accountability a part of the accountable records. Provide a copy to the real property officer that is relieved of accountability. Precede the transfer of accountability by a mutually acceptable inventory made jointly by the accountable officer and the successor.

### ***Section 5C - Accounting for Other Installations***

#### **5.5. Off-base Installations.**

Real property records for off-base and auxiliary installations are part of the real property account for the primary installation. These type of installations are normally geographically separated but support the mission of the primary installation (i.e. MFH, ILS, recreation, etc.).

#### **5.6. Accounting for Other Command Installations.**

Usually, real property records are kept at the primary installation. When the maintenance of real property records at an installation is not feasible, assign this responsibility to the nearest Air Force installation having the capability. Make this assignment according to existing directive (AFI 25-201, *Support Agreement Procedures*) governing host-tenant, intraservice, and interdepartmental support agreements.

5.6.1. The real property officer must maintain real property accountable records and furnish the commander of the serviced installation all necessary real property reports, as required by higher headquarters. **This does not relieve the serviced installation commander from real property accountability or from the responsibility of promptly furnishing real property data to maintain records and to prepare real property reports.** A memorandum of understanding (detailing responsibility) between the Host accountable officer and the serviced installation commander must be accomplished for Base Closure installations (examples are included at attachment 25).

5.6.2 Host installations must maintain separate real property records, files, and reports when accounting

for other command installations. In these cases, the servicing civil engineer must request an account code (installation code), for the serviced installation from the major command having command jurisdiction over the installation.

### ***Section 5D–Audit of Air Force Real Property Records***

#### **5.7. Purpose of Audits.**

Real property general ledger accounts, subject to audit by the Air Force Audit Agency ensure the government's interests are adequately protected and transactions connected with these accounts are properly authorized and recorded.

5.7.1. The Air Force Audit Agency must provide technical direction to all auditing functions and make sure that auditing activities are properly performed. Resident auditors do the actual audit of accounts.

5.7.2. All Air Force real property accountable records are audited as directed by the Auditor General.

#### **5.8. Correcting Deficiencies in the Real Property Records.**

The real property officer must correct as many deficiencies as possible disclosed as a result of an audit. The condition of the real property account and remedial action to correct any remaining deficiencies should be discussed by the auditor with the installation commander or the person designated as a representative.

5.8.1. Base Commanders must take the necessary action to adjust, explain, or correct deficiencies in reports or procedures as a result of an audit. The resident Auditor may determine whether deficiencies listed in the audit reports have been corrected during subsequent visits to the base civil engineer activity. If the deficiencies are not corrected they will be reported in the next audit report with a notation that the deficiency was previously noted and the base commander will be required to furnish a letter of explanation to the major command.

#### **5.9. Terminal Audits.**

When an installation is declared excess and reported to a disposal agency, a terminal audit of the real property account is not required. However, the major command having jurisdiction over the installation must ensure records are completed and accurate before relieving the responsible accountable officer.

5.9.1. Before transfer of an installation from one command to another, a special staff visit should be made by the relinquishing command to ensure real property records are current and accurate. Officials should make an effort to correct all deficiencies during the course of the visit.

5.9.2. The relinquishing command may be relieved of this requirement if a real property audit or a command staff visit was accomplished within one year before the transfer and all noted real property record deficiencies were corrected.

### ***Section 5E–Accounting for Acquired Real Property***

#### **5.10. How the Air Force Acquires Real Property.**

The Air Force acquires real property from a real estate or construction agent such as the Army Corps of Engineers. See AFI 32-9001, *Acquisition of Real Property* and Chapter 1 of this handbook for the acquisition of real estate and other property by actions other than construction. See AFI 32-1023, *Design and Construction Standards and Execution of Facility Construction Projects* for design, construction and acceptance of facilities on Air Force installations. The DD 1354, **Transfer and**

**Acceptance of Military Real Property**, is used to transfer real property accountability between military departments.

#### **5.11. Transfer of Real Property Interests from Real Estate Agencies.**

The real estate agency prepares a DD Form 1354 for each tract of land or other real estate interest acquired for the Air Force by negotiation, transfer, withdrawal from public domain, purchase, or condemnation. This includes easements, leases, license, and temporary use permits. A DD Form 1354 is prepared for the transfer of land interest acquired by condemnation. The real estate agency in coordination with the US Federal Attorney must identify the land interest, and furnish the Air Force with copies of the United States court decisions awarding the land interest. The real estate agency must dispose of any improvements before transferring accountability for the land if the improvements on the land are not to be retained by the Air Force.

#### **5.12. Transfer of New Construction from Construction Agencies.**

For procedures on transfer and acceptance of real property constructed for the Air Force, see AFI 32-1023, *Design and Construction Standards and Execution of Facility Construction Projects*. Site Activation Task Force (SATAF) commanders may sign the DD Form 1354 for missile, radar warning, and communication sites. At missile sites, the SATAF commander must be accountable, and report all real property until all supporting systems are operational. A DD Form 1354 is used to transfer accountability of all real property from the SATAF commander to the Host support base civil engineer.

#### **5.13. DD Form 1354 for Supported Installations.**

A DD Form 1354 for off-base real property supported by an installation of another command must be signed by the real property accountable base civil engineer and a representative from the installation. The additional signature of the command representative can be placed in the "remarks" column. Once the form is properly signed, the real property accountable base civil engineer will use this information to establish and maintain real property files.

#### **5.14. Transfer of Property When Acquired by Purchase or Condemnation.**

The real estate agent uses a DD Form 1354 to transfer real property to the Air Force acquired by purchase or condemnation proceedings. The agent must complete the form in detail including complete cost and facility breakouts. This information permits entry of required data in the real property records. The property is accepted by the Air Force upon signature of the DD Form 1354. The agent sends the original signed DD Form 1354 and the real estate instrument to the base civil engineer together with notations identifying any improvements or alterations added by the agent.

#### **5.15. Transfer of Leased Property.**

The real estate agent must furnish a copy of the lease with the DD Form 1354. Any additions or alterations made to the property by the government before transfer must be identified by separate entries on the form.

#### **5.16. Transfer with Deficiencies or Beneficial Occupancy.**

Facilities containing design and construction deficiencies upon beneficial occupancy are accepted by the Air Force according to AFI 32-1023, *Design and Construction Standards and Execution of Facility Construction Projects*.

### 5.17. Transfer of Construction Data and Items.

The construction agent's representative must give the base civil engineer all maps, drawings, specifications, leases, and contracts relating to each facility transferred no later than 90 days after the transfer. Equipment guarantees, manufacturers' catalogs, keys, location of special enclosures, water valves, fire hydrants and other pertinent data must be included with the transfer documentation.

5.17.1. The base civil engineer must properly file these documents and ensure their use in the operation and maintenance of the facility. Any remaining Government-owned material and equipment after construction is complete is disposed in accordance with AFI 32-1023.

### 5.18. Information To Be Furnished with DD Form 1354.

The DD Form 1354 must contain sufficient detail to allow preparation of real property records. Frequently, detailed cost data is not available upon acceptance of the facility. Before acceptance of the facility, a reasonable period of time for furnishing this data must be agreed upon between the using Air Force installation and the construction agency. Every effort must be made to obtain this data within 90 days.

5.18.1. A complete list of equipment installed in the transferred facility must be attached to the DD Form 1354. Individual costs for each item of equipment must be shown on this listing. Cost data shown on DD Form 1354 must not be considered final until all costs that affect the cost of the facility are received. Where data are furnished on an updated DD Form 1354, an AF Form 1441, **Real Property Voucher**, must be prepared, using the updated DD Form 1354 as a supporting document, and changes made to the real property records. Only the AF Form 1441 can be used to adjust basic facility costs. All other documents that change real property records will require a Real Property Voucher, AF Form 1441.

### 5.19. Vouchering DD Form 1354.

An AF Form 1441 must be prepared to record the transfer of facilities with the DD Form 1354 as a supporting document. The voucher is prepared similar to those prepared for base administered work. Items to be capitalized must be entered in the "real property" portion of the voucher, and any items identified as an expense, entered in the "expense" portion. The voucher, including the copy given to the Defense Finance and Accounting Service (DFAS), must be annotated "Financing Accomplished by Construction Agent and Not by Base funds". Prepare the real property records using the information contained on the DD Form 1354 or the AF Form 1442, Real Property Engineering Data.

### 5.20. Construction Accomplished by the Base Civil Engineer.

5.20.1. **Construction by Contract.** It is recommended a DD Form 1354 be prepared for construction of new facilities or other minor construction or alteration done by local contract. This type of work is usually funded as Operation and Maintenance. In these instances, AF Form 332, **Base Civil Engineer Work Request**, the completed Work Order Cost Report, AF Form 327, **Base Civil Engineer Work Order**, DD Form 1391, **FY\_\_ Military Construction Data**, AF Form 1178, **Program Cost Estimate for Budget Purposes**, and engineer analysis and contracts, are used as supporting document to AF Form 1441. These are prepared, vouchered, posted to the applicable real property record, and filed in the voucher file. When proper, an AF Form 1442 is also prepared, processed, and made a part of the voucher. DD Form 1354 is required on major construction projects funded in the Annual Military Construction Program.

### 5.21. Filing Construction Data.

The Base Civil Engineer must ensure that all maps, drawings, specifications, and other supporting documents and data for constructed facilities are properly prepared and filed.

## **5.22. Real Property of Other Agencies.**

Title to buildings owned by contractors, resident engineers, other government agencies, and service organizations may be transferred to the Air Force using a DD Form 1354 by marking them "found on Installation." Coordinate this action with the Corps of Engineers representative to procure the necessary quit claim deed from the owner and to protect the government's title to such property. Transfer real property facilities that are excess to Air Force requirements from one installation to another using a DD Form 1354 as the transfer document. The DD Form 1354 must show the authority for the transfer and be signed by the civil engineers involved.

## **5.23. Acquisition and Construction in Foreign Countries.**

When acquisition or construction of real property in foreign countries is accomplished by the host nation, documents furnished by the host nation must be used in lieu of the DD Form 1354 to document the acquisition of such property.

## **5.24. Real Property of Non-appropriated Fund Activities and Non-Air Force Agencies.**

5.24.1. Title to buildings and structures constructed on Air Force owned or leased installations, from other than appropriated funds, are automatically transferred to the Air Force. The construction is accountable on real property records unless the authority to retain title has been obtained by the applicable agency.

5.24.2. Construction contractors may retain title to temporary facilities provided for their use during the performance of a contract. These facilities must be removed when the contract is completed unless the contractor donates them to the government and the government elects to accept them. Title to structures erected by private individuals or commercial concerns, pursuant to a contract with a non-appropriated fund activity, may, at the discretion of the Secretary of the Air Force, be retained by the non-appropriated fund activity during the performance of the contract. Requests for approval to retain title should be sent to AFREA through MAJCOM channels.

5.24.3. A separate file must be maintained by the real property officer for all assets on an installation not a part of the real property account. The location and justification for not including this asset in the real property records must be documented for each instance to prevent any doubts of ownership of the asset.

5.24.4. Real property constructed with other than appropriated funds must be picked up in the real property record on a DD Form 1354. This does not include real property an agency or individual has obtained authority to retain title. Use the DD Form 1354 as a supporting document to the voucher. The form must contain a complete statement of circumstances surrounding the acquisition. Estimate costs if the actual figures are not available. When costs data is not known, the non-appropriated fund (NAF) control officer or NAF custodian must give this data to the base real property officer for posting to the accountable records. Action must be taken to obtain a full release of the title to the property from the proper agency. Examples of these types of acquisitions are:

5.24.4.1. Consideration accomplished by NAF or non-Air Force activities and abandoned on the installation.

5.24.4.2. Real property construction with NAFs for which the agency has not obtained authority to retain title.

5.24.4.3. Real Property Transferred to the government instead of being removed.

5.24.4.4. Real Property originally on the site when real estate was acquired by the government, but is not specifically listed in acquisition documents.

5.24.4.5. Real property for which the ownership is in doubt. Real Property on an installation that is not

part of the real property account. The reason and justification in each instance must be documented to prevent any doubts of ownership.

5.24.5. Attach a copy of payment vouchers sent by the NAF custodian to the real property voucher. These are used to record the actual cost upon completion of the project.

### **5.25. Title to Installed Property Purchased with Non-appropriated and Private Funds.**

The Government has title to installed property permanently attached to government owned facilities and purchased with non-appropriated and private funds.

5.25.1. Permanently attached property is property which cannot be removed without physical damage to the facility. Property that is easily removed without physical damage to the facility does not become a part of the real estate.

5.25.2. Permanently attached property must be added to the real property accountable record upon installation. However, if the activity retains accountability for installed property, a permit identifying the property will be accomplished between the base civil engineer and the requesting activity. The permit should be signed by the installation commander. A copy of the permit goes to the civil engineer.

5.25.3. Permanently attached property retained by the activity can be removed by the owning activity. The activity must restore the public structure or land to which the property is affixed to the condition existing at the time the property was originally affixed. Exceptions are central plants that provide general heating, air conditioning, dehumidification, and similar services for a building through a system of connecting ducts or distribution lines. Title for such plants, when installed, must be transferred to, and remain with, the government.

### **5.26. Removal of NAF or Non-Air Force Agency Property.**

Notify agencies authorized to retain title to real property of any plans to report the installation as excess to the needs of the Air Force. This notification serves as advance notice to the agency to be prepared to remove the property, unless agreements state otherwise, or to transfer title to the Air Force. Agencies holding title to facilities constructed with NAF funds may transfer title to the government instead of removing it. This is subject to the acceptance of the property by the government.

### **5.27. Recording Costs for Facilities in the United States and Its Territories.**

Real property records must show the original cost of all facilities plus capitalization cost. When pertinent data is not available, the BCE must furnish an estimated figure based upon current value. Records must show only the original cost of the new facility when a missile facility is damaged and a replacement is required.

### **5.28. Title to Real Property in Foreign Countries.**

Title to all U. S. government constructed facilities plus any installed equipment in foreign countries remains U. S. Government property, unless agreements state otherwise. When U. S. Government-owned installed equipment and facilities can be prepared for relocation at a cost of 50 percent or less of their replacement cost the following applies:

5.28.1. The estimated cost to prepare each item for relocation must be shown in the "remarks" section of the real property records. The estimate should be limited to prefabricated or pre-engineered facilities and facilities not individually in excess of 2,000 square feet.

5.28.2. The costs of installed equipment must be annotated on the real property record regardless of the size of the building. Also, the location of the equipment installed in the facilities must be identified.

5.28.3. The cost figure is based on the estimated cost of work and material required to remove the facility from its foundation and to protect or dismantle it. Crating costs are included only for installed

equipment.

5.28.4. No destination, transportation, or re-erection costs are included in the figure.

### **5.29. Recording Direct and Indirect U.S. Dollar Investments for Facilities in Foreign Countries.**

Costs recorded in the (WIMS) real property accountable record under “cost to government” is applicable only to the following:

5.29.1. Direct expenditures by military departments from Department of Defense (DoD) appropriations for construction and capital improvements.

5.29.2. Direct investments of U.S. dollars (NAF or donations).

### **5.30. Recording Data on Non-U.S. Dollar Investments.**

Examples of facilities constructed with non-U.S. dollars:

5.30.1. Facilities constructed for North Atlantic Treaty Organization (NATO) from joint allied defense funds.

5.30.2. Facilities made available by host nations at no cost to the U.S. government (does not include facilities indicated in 3.30.3).

5.30.3. Facilities constructed by foreign governments for use by DoD agencies. Non-U.S. dollar investments must not be shown in the “cost to government” field of the real property record. Facilities obtained from non-U.S. dollar investments must enter the current replacement cost in the “estimated value” field. The replacement cost of facilities must be estimated by the BCE and based upon unit costs plus location cost factors. Unless requested, do not show non-U.S. dollar investments in any reports sent to AFREA.

### **5.31. Transfer of Collateral Equipment.**

The Base Equipment Management Officer (BEMO) manages collateral equipment in all facilities. All collateral equipment must be transferred to the BEMO for reissue to the property custodian. This is only a “paper transfer” and does not require physical transfer of individual items. Use a DD Form 1149, *Requisition and Invoice/Shipping Documents*.

### **5.32. Donated Real Property.**

Donation is the conveyance of real property by gift. The donation can be from any source other than a department or agency of the federal government. See AFI 51-601, *Gifts to the Department of the Air Force*, for more information. Real Estate acquired by reparation funds (foreign currencies) and counterparts funds are excluded. Initial entries in the real property records for donated property must include an estimated value of the property in the “Estimated Value” field.

5.32.1. The estimated value is shown in the real property control ledger. The original estimated value will not be changed unless the original structure is removed or improved by donated funds.

5.32.2. Future changes to the unit of measure, quantity, and improvements to the donated facility must be posted to the real property record. Appropriated cost associated with the improvement to the facility is posted to the “cost to government” field.

5.32.3. Provide a copy of the voucher to the Defense Finance and Accounting Service (DFAS).

5.32.4. The estimated cost of donated assets must be reported as “estimated value” in the real property records.

### **5.33. Real Property Records.**

Air Force real property records must be prepared for each separate facility or item of real property that

requires reporting. However, real property records need not be prepared where real property records already exist for facilities accounted for and reported in aggregate. Examples are grounds, roads, exterior utility distribution, and similar items.

5.33.1. The Real Property Accountable Record for Buildings must show the gross square footage of the building. Regardless of the number of complete living units within the structure the gross square footage of the facility must be in the real property record (Housing).

#### **5.34. Recording Costs for New Family Housing.**

Construction bids for family housing identify costs to the five-foot line. The cost shown for family housing in the real property records must be actual construction costs furnished by the construction agency. The cost of roads and systems beyond the five-foot line are identified separately by the construction agency. These costs are not always broken down and apportionment of costs may be required. If required, base the apportionment on a field inspection of facilities and an engineering analysis prepared and validated by the BCE.

### ***Section 5F -- Establishing, Preparing, and Maintaining Real Property Records***

#### **5.35. Location of Real Property Records.**

Real property records include maps, plans, drawings, specifications, computer printed ledgers, voucher transaction listings, and related records plus documentation. They constitute an interdependent, accountable engineering record of real property facilities comprising the physical makeup of each Air Force installation. Records are kept intact by the BCE, properly identified, and filed for ready reference. Real property case files include the real property vouchers, AF Form 1441, and all supporting documents.

5.35.1. Real Property Records contain all pertinent engineering and statistical data for all Air Force real property. This information plus supporting maps, plans, specifications, and real estate instruments, provide:

5.35.1.1. Engineering data for day-to-day maintenance and operational needs of the BCE.

5.35.1.2. Information for master planning, base projects preparation, and the military construction program development.

5.35.1.3. Basis for the development of the budget for maintenance, repair, and operation of facilities.

5.35.1.4. Basis for reports required by all echelons.

#### **5.36. Preparation of Real Property Records.**

Utilize the Work Information System (WIMS) to prepare and maintain real property records. Page one and two of the WIMS record is the official real property accountable record that is maintained by the real property officer. **If your installation has WIMS, do not continue to update or add to the old AF Form real property record cards.** Documentation and help is found on-line in WIMS (AFCSM 32-202, part three). Training is available through the Civil Engineer Computer Based Training module available through HQ SSG/SBEE or the Installation System Administrator.

**NOTE:** Installations not using WIMS will use the real property record cards referenced in paragraphs 5.36.1-5.45.2.2 of the handbook to account for real property. Any reference to real property cards in this handbook only applies to installations not using WIMS to account for real property.

5.36.1. AF Form 1430, Real Property Accountable Record - Building, and AF Form 1450 Real Property Accountable Record - supplemental Card. An individual real property record card must be prepared for each building located on the installation. Besides the general information required for each AF Form 1430, the following data must be recorded:

- 5.36.1.1. Dimensions. Show length and width, including wings, offsets, and additions. Note inside dimensions of basement or partial basement, including height of ceiling.
- 5.36.1.2. Materials. Show type of construction material in foundations, such as concrete, brick concrete piling, stone, crested wood, or any combination in floors, such as concrete, wood, tile, in walls, such as reinforced concrete stone, brick veneer, wood, metal; and in roof, such as composition, shingle, wood shingle, slate, gravel, and others.
- 5.36.1.3. Utility Connections. Indicate number, size, and capacity of utility connections to the building from outside distribution lines. Indicate voltage, phase, ampere rating, and location (inside or outside) of main electric service switch.
- 5.36.1.4. Building Equipment Capacity. Indicate in the proper space, type of air conditioning and hot water facilities within the building or structure, if applicable. Indicate capacity for the individual types shown.
- 5.36.1.5. Number of Usable Floors. Show number of usable floors in the building, including finished basements. Don't include floors that are unusable because of ceiling heights (less than 7 feet), ventilation, or inaccessibility. The square foot floor area of porches and attached ramps that are enclosed must be included in the gross floor area of the building.
- 5.36.1.6. Fire Protection Facilities. Show the type of fire protection system as equipment in the building, such as automatic sprinkler system; automatic fire detection alarm system; stand pipe and hose system; special systems, such as carbon dioxide, foam, etc.; or any combination.
- 5.36.1.7. Heating and Ventilation. Give the source of space heating, such as control heating plant (identify plant), individual heating plant, or stoves; and type of fuels used, such as coal, gas or electricity. Indicate calculated British Thermal Unit (BTU) heat loss of the building. If heated by individual facilities, indicate BTU capacity, cubic feet per minute (CFM) and motor horsepower (HP of ventilating fans (except air handling fans for air conditioning purposes)).
- 5.36.8. Remarks. Make any specific remarks about the building, such as designed floor load of storage buildings, reference to utility structure of which it is a part, number and size of attached loading platforms, ramps, open and enclosed porches, carports, or open or enclosed hospital walks. If the building is designated to be of historical significance, show whether nominated and listed on the National Register of Historic Places under Executive Order 11593, and the date. Underlining red all historic notations.

### **5.37. AF Form 1450, Real Property Accountable Record Supplemental Card.**

This form is used as a continuation sheet for AF Form 1430, and drops the need to repeat basic information on a building when a new card is needed.

### **5.38. AF Form 1431, Real Property Accountable Record - Systems**

- 5.38.1. **Individual Cards.** Separate property record cards must be prepared for each exterior utility distribution system located on each separately identified installation.
- 5.38.2. **Examples of Systems.** The following are examples of types of systems that require an individual real property record card:
- 5.38.2.1. Water distribution system.
  - 5.38.2.2. Sanitary sewer collection system.
  - 5.38.2.3. Storm sewer collection system
  - 5.38.2.4. Overhead electric distribution system
  - 5.38.2.5. Underground electric distribution system.
  - 5.38.2.6. Airfield lighting
  - 5.38.2.7. Gas distribution system
  - 5.38.2.8. Heating distribution system

5.38.2.9. Gasoline storage system.

5.38.2.10. Other petroleum products storage system.

5.38.2.11. Fire protection system.

5.38.2.12. Industrial waste collection system.

5.38.2.13. Other distribution systems, such as air conditioning, air purification, refrigeration, hydraulic, helium, hydrogen, nitric acid, etc. These systems usually support missile facilities and are not associated with one particular building or facility.

5.38.3. **Description of System.** Besides the general information on each real property record card, the following data is required:

5.38.3.1. **Measurable Parts.** List and describe all measurable parts on the system, segregated as to size, capacity, and purpose (such as mains, laterals, and service lines) on the proper lines of the real property record card.

5.38.3.2. **Units of Measurement.** The following units of measure are applicable to examples of systems cited:

5.38.3.2.1. Water. Include the linear feet of all lines, mains, laterals, service, etc. Indicate fire hydrants and hydrant cutoff valves.

5.38.3.2.2. Sanitary Sewer. Include the linear feet of all lines, mains, laterals, service, etc., and number of manholes.

5.38.3.2.3. Storm Sewer. Include the linear feet of all underground lines, open drainage ditches, irrigation ditches, trench drains, and levees. Roadside ditching must not be included in this listing, unless the primary purpose is for storm drainage and the secondary is for road drainage.

5.38.3.2.4. Electrical Distribution System. Include linear feet of the overhead and underground electrical distribution system. This is the linear feet between all poles, plus service drops, for the overhead system and the linear feet between all duct manholes in the underground system.

5.38.3.2.4.1. The linear feet of overhead is the total number of feet of the primary distribution line (single or 3-phase), plus the feet of secondary distribution (2, 3, or 4 wire), plus the service drops to the disconnecting means. Two primary systems or feeders, and one secondary line between two poles, 200 feet apart, would equal 200 feet of primary and 2100 feet of secondary overhead distribution.

5.38.3.2.4.2. The total number of linear feet of underground distribution is the total number of feet of primary line (single or 3-phase), plus the total number feet of secondary line. Three primary systems, or lines, and secondary systems, or lines in the same encasement of ducts, 100 feet long, would equal 300 linear feet of primary and 200 feet of secondary underground distribution.

5.38.3.2.4.3. Indicate the number of poles in the overhead and the number of manholes in the underground system. Segregate primary (600 volts or more) distribution from secondary (under 600 volts) for each system. Indicate the number of primary step-down transformers and total kilovoltampere (kva) for each system. Gas Distribution. Include linear feet of all lines, from source of delivery to service entrance of each facility served.

5.38.3.2.4.4. The "Remarks" column of AF Form 1431, Real Property Accountable Record - Systems, must also indicate pole feet of all lines involved, regardless of the size of wires and capacity of line. A pole foot is defined as the distance between poles expressed in linear feet, with a disregard for the number wires suspended inclusive of service drops.

5.38.3.2.5. Gas Distribution. Include linear feet of all lines, from source of delivery to service entrance of each facility served.

5.38.3.2.6. Exterior Heating Distribution. Include linear feet of all steam and hot water distribution and return lines, external to the boiler plant that generates the steam or hot water for exterior distribution. These lines may be located underground, on exterior overhead rack supports, and suspended on open or closed corridors. Linear footage of all sizes must be computed and reported to building entrance. Indicate total linear feet of different types of installation (overhead, underground, corridors) and the length of different types of insulation. Segregate steam and hot water from condense lines and indicate

length by size (4 inch, 6 inch, 8 inch, etc.) of each category.

5.38.3.2.7. **Airfield Lighting.** Include length in centerline feet and the total number of all lights required, as an aid to aircraft navigation and in most instances controlled from the control tower. Each lighted runway, taxiway, apron, and so forth, must be shown with the type and number of lights for each. Lights that serve no specific airfield facility must not be recorded as part of the airfield lighting system. The airfield lighting system includes runway edge lights, narrow gauge lights, centerline lights, traffic control lights, obstruction lights, beacon on lights, runway identifier lights, visual glide slope indicator lights, strobe lights, threshold lights, and boundary and runway approach lights. Underground cable, switches, overhead lines, etc., must be accounted for as part of the system valuation. Lights mounted in a cluster must be computed as one light, that is, dual lights, a bank of runway or apron floodlights, etc.

5.38.3.2.8. **Industrial Waste Sewer.** Include the linear feet of all sewers specifically for industrial waste collection. Do not include combination storm sewer/industrial waste system. Segregate force mains from gravity sewers; type of; material (clay, concrete, etc.) by size (6 inches, 8 inches, etc., lump all sizes below 6 inches). Indicate number of manholes.

### **5.39. AF Form 1432, Real Property Accountable Record - Miscellaneous Structures:**

5.39.1. **Individual Card Required.** An individual real property card must be prepared for each miscellaneous type of structure on the installation.

5.39.2. Examples of Miscellaneous Structures:

5.39.2.1. Fixed, permanently attached waterfront improvements, such as wharves, seawalls, ferry slips, jetties, bulkheads, piers, breakwaters, docks, causeways, and similar structures along waterways and water approaches. **NOTE:** When equipment and apparatus required in the operation of an individual plant are housed in two or more buildings, interconnecting piping and utility lines between the buildings are considered part of the plant and not a miscellaneous structure.

5.39.2.2. Bandstands.

5.39.2.3. Concrete retaining walls.

5.39.2.4. bridges.

5.39.2.5. Billboards.

5.39.2.6. Dams (except earth construction).

5.39.2.7. Fences (not including temporary picket type).

5.39.2.8. Firing-in butts.

5.39.2.9. Loading platforms (not attached to buildings)

5.39.2.10. Pistol and rifle ranges.

5.39.2.11. Racks, covered and uncovered (wash, grease, etc.).

5.39.2.12. Swimming pools (outdoor).

5.39.2.13. Tennis courts (including platform tennis) and equipment.

5.39.2.14. Baseball fields, including backstops, and other athletic fields, golf courses, and picnic areas, including appurtenances such as stands, golf shelters, and other support facilities.

5.39.2.15. Training aids (permanently integrated into the ground).

5.39.2.16. Walls (excepting component parts of building), tunnels, gantry cranes, missile silos, launch pads, antennas, towers, and similar items.

5.39.3. **Description of Miscellaneous Structures.** Besides the general information on each real property record card, the following information must be recorded:

5.39.3.1. **Dimensions.** Enter the quantity and unit of size or capacity applicable to the function of the structure, according to the following examples:

3.39.3.1.1. Flagpoles - number.

3.39.3.1.2. Fences and Walls - height, and length.

- 3.39.3.1.3. Swimming Pools - square feet.
- 3.39.3.1.4. Loading Platforms (not attached to buildings) - horizontal area.
- 3.39.3.1.5. Tennis Courts - number
- 5.39.3.2. Materials. Show type of construction material, such as concrete, brick, concrete piling, stone, crested wood, tile, reinforced concrete, metal, wood shingle, slate or gravel, and other.
- 5.39.3.3. Utility Connections. Show number, size and capacity of utility connections to the structure from outside main lines. Indicate voltage, phase, and ampere rating of electric service switch.
- 5.39.3.4. Heating (if applicable). Give source of heating and type of fuel used.
- 5.39.3.5. Fire Protection (if applicable). Show type of fire protection and installed fire detection system.
- 5.39.3.6. Historic Notations. Make note if structure has been designated to be of historic significance. Show whether nominated and listed on the National Register of Historic Places, under Executive Order 11593. This data is included on the master plan and each facility must be posted with the proper sign. Exception: Archaeological sites must not be posted with signs. This is to prevent unauthorized digging.
- 5.39.3.7. Remarks. Make any specific remarks about the structure that further clarifies its use, designation, or furnish information regarding its identification.

#### **5.40. AF Form 1433, Real Property Accountable Record – Plants:**

5.40.1. **Individual Card.** An individual real property record card must be prepared for each plant on the installation. Listed below are examples of various types of plants requiring an individual real property record card:

- 5.40.1.1. Water pumping plant.
- 5.40.1.2. Water filtration plant.
- 5.40.1.3. Sewage pumping plant.
- 5.40.1.4. Sewage treatment plant.
- 5.40.1.5. Electric generation plant.
- 5.40.1.6. Boiler plant.
- 5.40.1.7. Heating plant.
- 5.40.1.8. Air-conditioning plant.
- 5.40.1.9. Cold storage plant.
- 5.40.1.10. Hydraulic pressure plant.
- 5.40.1.11. Liquid oxygen plant.
- 5.40.1.12. Industrial waste plant.

5.40.2. **Description of Plant.** Besides the general information required on each real property record card, describe machinery, apparatus, and equipment used to produce or handle the service produced (water, steam, warm air, sewage, gas, electricity, and petroleum products); those structural features necessary for operation that are peculiar to the individual plant; and any other pertinent information or remarks that will identify the plant. Plant facilities are considered to start at the point of connection to the utility systems of the building housing the plant. Buildings housing plants are not real property components to the plant but are building facilities. Make any remarks about the plant or its operation, considered applicable, in the "Remarks" column.

#### **5.41. AF Form 1434, Real Property Accountable Record - Pavements.**

5.41.1. **Individual Card.** A real property record card must be prepared for each type of construction (concrete, bituminous, and stabilized surface) and for each separately identified item of property that constitutes the general classification of each type of pavement listed below. A card is required for each separate category and construction type of runway, each separate taxiway, parking area, etc. Items listed below may be accounted for separately or in the aggregate, according to command determination:

5.41.1.1. Airfield pavements:

5.41.1.1.1. Runways.

5.41.1.1.2. Taxiways.

5.41.1.1.3. Aprons.

5.41.1.1.4. Other

5.41.1.2. Roads and Walks:

5.41.1.2.1. All types (paved).

5.41.1.2.2. Open storage (all kinds).

5.41.2. **Dimensions:**

5.41.2.1 **Airfield Pavements.** Enter the total length, average width, and the thickness of the pavement being recorded. In computing total square yards of runways and taxiways, such features as fillets connecting runways and taxiways must be excluded. Fire-lanes and taxilanes, within boundaries of aprons, must be considered as part of the aprons. Peripheral apron access taxiways must be recorded as taxiways. When buildings are located adjacent to or on an apron, an area extending 75 feet from the building, on those sides restricted for the use of personnel and vehicles other than aircraft, must be designated as vehicle parking, roads, or walks, as applicable, and recorded in the appropriate real property account.

5.41.2.2. **Roads and Walks.** Enter the total length, average width, and thickness. In computing total square yardage, the intersecting area of two roads is treated as part of the main or more traveled thoroughfare.

5.41.2.3. **Remarks.** Indicate bridges, underpasses, and overpasses, with cross-reference to the card control number of the AF Form 1432 record on which they are carried. Include any additional remarks considered pertinent in clarifying the use, designation, or identification of the facility.

**5.42. AF Form 1435, Real Property Accountable Record--Land.**

5.42.1. **Individual Card.** A real property record card must be prepared for each type of action when land is acquired for the installation, as determined by real estate category codes contained in the Air Force Corporate Data Dictionary. Post acquisitions and disposals to the applicable record as they occur. Maintain separate records for the primary installation, each auxiliary, detached, and off-base installation. Prepare these cards as follows:

5.42.1.1. Date. Enter the date card is initially prepared.

5.42.1.2. Nomenclature. Enter the nomenclature and category code according to Air Force Corporate Data Dictionary.

5.42.1.3. Voucher number. Give the voucher number assigned to AF Form 1441, which has supporting documentation and copies of DD Form 1364, leases, permits, etc.

5.42.1.4. Date. Give the date the voucher number is assigned.

5.42.1.5. Description. Give a brief description of the land, as shown on each acquisition or disposal document, date of instrument, county recording reference, if available, and any other pertinent information. A separate entry must be made to cover each acquisition or disposal action. If there is any doubt to the existing land acreage of the main base, a Corps of Engineers representative should be contacted by letter and asked to furnish real estate information before the real property card is established. Disposals must be entered in red or circled.

5.42.1.6. Map Reference Number. Give the numbers of any tract maps prepared by the Corps of Engineers, and local drawings indicating location, acreage, tract numbers, ownership, etc.

5.42.1.7. Acreage. Enter the total number of acres involved in the acquisition or disposal action. No entries must be made in the "Improved" or "Other" columns of the AF Form 1435.

5.42.1.8. Cost or Terms. Enter the cost of the land being acquired, disposed, or the annual cost of rentals, leases, etc., as applicable. Initial improvement of land usually covers grubbing, leveling,

sodding, etc. These improvements are usually required to accommodate facilities, including golf courses or for some other specific purpose (erosion control). If initial improvement is made to accommodate facilities, either sited or under construction, costs must be charged to the facilities involved. If no facilities are involved, initial land improvement costs are shown in the "Remarks" column. These costs must be circled, and reported separately, as may be required. They must not be included when reporting "cost to government" in the RCS:SAF-MII(AR)7115, *USAF Real Property Inventory Detail List* inventory report. Subsequent costs of this nature will be considered maintenance and not entered on the record card.

5.42.1.9. Facility Numbers. Assign facility numbers according to paragraph 3-80.

5.42.1.10. Archaeological Significance. Make a note of each land area of historic significance. Show whether nominated or listed in the National Register of Historic Places under E.O. 11593. This data must also be in the installation comprehensive plan (master plan) (see paragraph 3-50c(6)).

5.42.2. Lesser Land Interest. In addition to the above, AF Form 1435 is prepared for lesser land interests. This form is used when no real property maintenance responsibility or accountability is assumed. Included in such lesser interest are easements, leases, use permits, etc., as determined by category codes for lesser interests listed in the Air Force Corporate Data Dictionary. Record cards are prepared in the same manner as outlined in above, except that under "description," state the primary purpose of the instrument and include the statement "no real property maintenance or accountability is involved".

5.42.2.1. Easements in perpetuity are capitalized as investments. The area involved must be identified in real property records under the applicable category code listed in the Air Force Corporate Data Dictionary. Enter Air Force interest code 6, and the cost in the "Cost/Terms" column. Costs are posted in the Real Property Control Ledger, to account 17101, "Land," with contra entry to "disbursements," "accounts payable," and "transfer account;" and included in the RCS: SAF-MII(AR)7115, *USAF Real Property Inventory Detail List* inventory report under "Cost to Government".

5.42.2.2. Easements less than perpetuity, leases, and short term interests acquired by license, permit, etc., are not capitalized. Interests involved must be shown in real property records under the applicable category code and Air Force interest code listed in the Air Force Corporate Data Dictionary. Costs of such interests are accounted for in GLA 935 and expensed to GLA 311. An estimated value of facilities involved is posted to GLA 936. Costs of interests and estimated value of facilities must be included in the RCS: SAF-MII(AR)7115, *USAF Real Property Inventory Detail List* inventory report.

#### **5.43. AF Form 1436, Real Property Accountable Record - Railroad:**

5.43.1. Individual Card. Prepare an individual real property card (figure 3-7) for all rail trackage on the installation.

5.43.2. Description of Rail System. Besides the general information required for each real property record card, also enter track numbers, type of track (main or spur), gauge, weight of rails in pounds per yard, and length of single track (two rails) in miles or fractions thereof (list length of each weight of rail separately). Lengths of turnouts must be included when measuring sidings or spurs. Make any pertinent remarks regarding the railroad or its operation in the "Remarks" column.

#### **5.44. Inventory Detail Cards:**

5.44.1. AF Form 1438 provides detailed inventory information for buildings constructed or permanently converted for two or more purposes. It is used as an extension of the building record card to record detailed use. The card must reflect each use of a building that occupies 500 or more square feet. Lesser usage must be included with the primary purpose of the building. Excepted are attached garages that are less than 500 square feet.

5.44.2. AF Form 1438 must be prepared for each building for which multipurpose inventory reporting is

required. This must include all separately identifiable codes for each activity occupying 500 or more square feet. The information in the heading of the card must be identical to the information on the corresponding AF Form 1430, including the control number. Each separate building use must be shown by a one line entry as follows:

5.44.2.1. Assignment. Use the two digit code of the agency occupying the space under the coding in the AFR 700-20, ADE MA-360.

5.44.2.2. Occupancy. Show current use plus the approval and authorization date.

5.44.2.3. Category Code. Enter the category code that identifies the particular user recorded by the line entry.

5.44.2.4. Nomenclature. Enter the abbreviated nomenclature of AFR 700-20, that corresponds to the category code of above.

5.44.2.5. Unit of Measure. Enter unit of measure.

5.44.2.6. Quantity. Enter the total number of square feet occupied by the particular use, recorded by the line entry.

5.44.2.7. Unit of Area. Enter the code for "Unit of measure-Other" as shown in AFR 700-20 for the category code of the line entry being recorded.

5.44.2.8. Capacity. Enter the total quantity of the measurement of above, which is within the area occupied by the use recorded by the line entry.

5.44.3. Permanent conversion of existing space to other uses, any additions or deletions to the building necessitates changes be made in the recorded entries. This may be made by lining out one or more obsolete entries, to conform with changed conditions. However, totals of all entries in the "quantity" and "capacity" columns must agree at all times with like information on the corresponding AF Form 1430.

5.44.4. AF Form 1438 cards may be filed with the corresponding AF Forms 1430 or separately, as is determined to best suit local conditions. Its preparation and maintenance are not subject to this regulation, except as outlined in this paragraph.

5.44.5. AF Form 1450 is provided as a continuation sheet for AF Forms 1430 through 1436. Where descriptive headings do not correlate with cards, correct headings must be inked in on the continuation card.

#### **5.45. Property Record Cards for Leased Facilities:**

5.45.1. Establishing Accountability. Real property records must be prepared for all leased facilities, and the word "leased" noticeably written in the upper right hand corner.

5.45.1.1. Besides the standard data posted to these cards, the estimated value of the property at the time it is leased must be entered in the "Total Cost" column of the card or in the "Estimated Value" field of the WIMS real property record. Clearly identify the entry as "estimated value" and double underline it on the card, to ensure its exclusion from government funded investment costs.

5.45.1.2. The annual rental must be shown in the "Description of Work" column on the AF Form 1441 and entered in the "Remarks" space of the real property card. A copy of the voucher must be sent to the Defense Finance and Accounting Service.

5.45.1.3. The estimated value and annual rental must be shown in the "Leased Facilities" section of the control ledger (see paragraph 3-78d(2)).

5.45.1.4. Units of measure quantity and changes must be recorded under the cost account code in the section of the ledger applicable to the type of facility involved (see paragraph 3-78c(1)).

5.45.1.5. When a land and facility combination or a number of facilities are involved in a lease under one rental, real property cards for separate facilities must be so marked. NOTE: Current real property record cards need not be adjusted to transfer the item of estimated value from the "Remarks" space unless authorized by the major command.

5.45.2. Improvements. The cost of improvement type work performed on leased facilities identified by Air Force interest code "3" in the RCS: SAF(AR)7115, *USAF Real Property Inventory Detail List* inventory report, including Real Property Installed Equipment (RPIE), must not be capitalized in the real property records. The cost of this work must be added to the estimated value.

5.45.2.1. Real property records must be adjusted to include changes in the physical capacity, basic data, or description of facilities occasioned by this work. A memorandum for record of the work and costs must be maintained, as required by AFI 32-9001. Use either AF Form 1430 or AF Form 1450. Investment costs currently posted to the real property records for Air Force interest code "3" facilities need not be deleted.

5.45.2.2. Noncapitalization of improvement costs does not change the requirement for approval and control of the work. This does not apply to new facilities constructed wholly from appropriated funds on leased land or facilities currently in Air Force inventory constructed wholly from appropriated funds on leased land. Such facilities are government-owned and must be capitalized or continue to be categorized as investments in the real property records. They are also included in "Cost to the Government" column of the RCS: SAF-MII(AR)7115, *USAF Real Property Inventory Detail List* inventory report, with Air Force interest code "7".

#### **5.46. How to Dispose of Leased Property.**

When verified by the district engineer that a lease will be allowed to lapse, the release of the government from a lease will be negotiated, or a leasehold condemnation terminated, the Air Force command must instruct the civil engineer to proceed as follows:

5.46.1. Remove all government-owned installed real property equipment. This does not include such items as plumbing, lighting and toilet facilities, lavatories, walk-in refrigerators, and fixed heating systems. Use a DD Form 1149 to transfer accountability of the removed items from the real property records to the base supply officer or base medical supply officer. Coordinate removal of the installed equipment with the district engineer, to preserve government improvements in the best for negotiating with the lessor.

5.46.2. Compile an inventory of all remaining installed government-owned property and list all improvements made to the property. Give a copy of this inventory to the district engineer for negotiations with the lessor. Do not remove items or equipment listed on the inventory, pending negotiations between the district engineer and the lessor. After negotiations are completed, proceed as follows:

5.46.2.1. When the lessor agrees to accept the premises with all or part of government-owned property or improvements, a copy of the supplemental agreement that transfers the property to the lessor must be retained. Use it as supporting documentation to drop the items from the real property records.

5.46.2.2. Items not acceptable to the lessor must be promptly removed and returned to stock as noted in 5.37.1. Credit the real property records with the cost of the removed items.

5.46.3. How to Retire Real Property Records on Lease Termination. When leased premises are vacated by the Air Force and returned to the lessor, the applicable real property record is transferred to an inactive file. A copy of the official document terminating the lease is used as a supporting document to the voucher that drops the property from the real property account.

5.46.4. Leases for Short Periods. When facilities are leased for a short period (not more than one year) a real property record is not prepared. Accountability is kept by filing acquisition and disposition documents in jacket files. When the lease is ended and the property is disposed, the complete file of documents must be retained for audit.

#### **5.47. Permitted Facilities.**

Real property records must be set up for portions of installations not owned by the Air Force but are

acquired for exclusive Air Force use through lease, permit, or other written agreement. If Air Force is nonexclusive, real property records are not required, however, a memorandum for record of the existence of concurrent Air Force use should be made and placed on file.

5.47.1. When another U.S. military department permits the Air Force exclusive use of real property facilities, the facilities are owned by and capitalized in the accounts of the permittor. Title to facilities constructed wholly from Air Force appropriation, on installations occupied under permit from another U.S. military department, may be transferred to the permitting department upon completion of construction. This includes Air Force financed improvements to existing facilities.

5.47.1.1. Under these conditions, the Air Force has no accountability and formal real property records are not required. However, a record of these properties should be kept in sufficient detail and accuracy to satisfy the inventory reporting and accounting requirement. An updated U.S. Air Force real property inventory detail list is sufficient. This information should agree, whenever possible, with accountable records of the permittor.

5.47.1.2. Net changes affecting the general ledger accounts may be furnished to the Defense Finance and Accounting Service monthly by memorandum in lieu of vouchers. However, methods of maintaining and providing this information may be prescribed by the MAJCOM.

5.47.1.3. If the Air Force, by agreement with the permitting department, retains title to new facilities constructed from Air Force appropriations, formal accounting procedures must be set up for all properties occupied under the permit. Facilities constructed by the Air Force must be capitalized in the general ledger accounts. They must also be reported as a cost to government in the real property inventory as Air Force interest code "1" for the United States and its territories, and "H," "J," or "N" for foreign countries.

#### **5.48. Contractor Responsibilities.**

When government owned family housing or other facilities are maintained by contract, the contractor must provide adequate data and documentation on the work accomplished for recording in the real property records. Contracts must be written to ensure compliance with the requirement.

#### **5.49. Classification of Facilities.**

Real property facilities at missile installations are classified as buildings, systems, miscellaneous structures, plants, pavements, land, and railroads. This applies whether the facilities are constructed above or below ground.

#### **5.50. Facility Identification.**

The category code and nomenclature entered in real property records for the individual facilities must agree with those listed in Air Force Corporate Data Dictionary. This dictionary is available through the Defense Data Network (DDN) by modem or local area network (LAN). For more information, see AFI 33-110, *Air Force Data Administration Program*. A user ID and password are required. This can be obtained by contacting HQ AFCA/XPDP, 203 West Losy Street, Room 1065, Scott AFB, IL 62225-5224.

#### **5.51. Communications-Electronics (C-E) Equipment.**

C-E equipment and all its components are not normally considered to be real property. However, C-E equipment will usually be mounted on or associated with real property.

5.51.1. Some examples of supporting structures associated with C-E equipment but considered to be real property equipment are:

5.51.1.1. Towers, tower guys and poles supporting antenna systems

- 5.51.1.2. Underground ducts and manholes.
- 5.51.1.3. Concrete footings and hardstands.
- 5.51.1.4. Permanently sited shelters, vans and vehicles with wheels removed.
- 5.51.1.5. Fixed parabolic reflectors in troposphere scatter systems.
- 5.51.1.6. Radar supporting structures.
- 5.51.1.7. Carrier/support cables.
- 5.51.1.8. All other structural elements supporting C-E equipment.
- 5.51.2. The following are examples of C-E items not considered real property:
  - 5.51.2.1. Radios/electronic equipment
  - 5.51.2.2. Message and data equipment.
  - 5.51.2.3. Rack mounted equipment and associated racks.
  - 5.51.2.4. Mobile (not permanently sited) vans, vehicles, and shelters housing C-E equipment
  - 5.51.2.5. Feedhorns, waveguides and ladder supports, RLP antennas and other radiating/receiving elements of antenna systems
- 5.51.3. Energy Monitoring Control Systems (EMCS) equipment are real property. (See AFH 32-1084).

### **5.52. Facility Cross Reference List.**

To ensure accurate coding of work orders and other documents a reference list for each facility with the applicable cost account code is produced by WIMS. See WIMS Software Documentation on-line.

### ***Section 5G—Changes that Affect Real Property Records***

#### **5.53. Acquisition.**

The acquisition of real property necessitates an addition to the real property records.

#### **5.54. Disposal of a Facility.**

When a facility is identified for disposal, the real property record is transferred to an inactive state. Upon disposal of the facility according to AFI 32-9004, *Disposal of Real Property*, the real property record must be deleted from the main file.

5.54.1. When disposal is by sale, an authenticated copy of the sales contract is a valid document for deleting the facility from real property accountable records. However, the voucher should be not be completed until the approved AF Form 300, Facility Disposal, is received and approved.

5.54.2. If a default by the purchaser results in a voided contract, accountability must be resumed because the title is not legally transferred until all terms of the contract have been satisfied.

5.54.3. When installed property and equipment are removed, turned in, or installed in another facility, the record for the facility must be credited before transfer to inactive status.

5.54.4. When real property record are transferred to inactive status, action must be taken to delete pertinent data from various reports.

#### **5.55. New Construction Accomplished by the BCE.**

When the BCE performs new construction, add it to real property records. The cost of construction performed by local contract must include the cost of architectural engineer (A&E) services either by contract or assigned Air Force personnel. The amount of the A&E service must be capitalized to the real property records along with cost to construct. When A&E services are packaged and cannot be identified with any individual project, apportion the cost among respective facilities covered by the contract for capitalization and accounting purposes, according to the Air Force Real Property Financial

Accounting Procedures or AFP 177-31, Attachment 1, Appendix K 31.

### **5.56 Alteration and Modification Accomplished by the BCE.**

All costs posted to the real property records for minor construction accomplished by the BCE must be based on the project estimate or an engineering analysis. Note: this does not include improvements to leased facilities.

5.56.1. To avoid wasting administrative detail on capitalizing small improvements, minor construction, only capitalize improvements to a facility with total cost of \$100,000 or more and extending the service life of the facility by two or more years. Continue to add to the real property records changes to a facility caused by new fixed equipment, basic data, and facility description not meeting the capitalization criteria. The requirement for capitalization of new fixed equipment does not apply to the temporary withdrawal or exchange of military family housing appliances. Only the initial acquisition and/or permanent withdrawal of military family housing (MFH appliances need be capitalized). **NOTE: Continue to add new construction (facilities) to the real property records along with total cost of project even if it does not meet the criteria above.**

5.56.2. Capitalization costs include total project costs (both funded and unfunded), as stated in the Air Force Real Property Financial Accounting Procedures and AFP 177-31, Attachment 1, Appendix K 31. Itemized cost are shown on completed BCE Work Order Cost Report.

5.56.3. Real property records must be updated to show physical changes in facilities, resulting from minor construction work even if the project will not be capitalized. The cost for these changes will be expensed.

### **5.57. Installation and Removal of Installed Equipment.**

Do not add the installation or removal cost of the installed equipment to real property records unless there is an increase or decrease in the capital assets investment. The real property records must be updated to reflect only the difference in capacity or investment.

5.57.1. When no change occurs in the capital asset investment of the facility, but separate accounting of the property is required, a voucher must be processed and registered to keep the necessary item identified.

5.57.2. An engineering analysis must identify the equipment and cost. When actual costs are not known, costs will reflect current stock list prices. Current estimated prices may be used if the item is not listed in stock prices.

### **5.58. Replacement of Similar Item.**

A real property voucher is not required to cover the replacement of an installed item or equipment by a similar item unless the replacement increases or decreases the previous utility service capacity.

### **5.59. Military Labor.**

The cost of military labor used to accomplish new construction and improvement type work, must be capitalized with the project.

### **5.60. Changing Real Property Records.**

Limit changes to real property records to the following:

5.60.1. Increase or decrease to the previous capacity, utility service, or geometrical measurement of a facility or an increase or decrease in unit of measure quantities.

5.60.2. When one or more alteration type projects result in prolonging the expected service life of a

facility which changes the construction of a facility from temporary to semi-permanent or to permanent.

5.60.3. When work is accomplished with P-341 funds or other military construction funds.

5.60.4. When minor construction projects are funded by operations and maintenance (O&M) or research and development (R&D) funds.

5.60.5. When defense family housing is funded from 57-97XX0700 funds

### **5.61. Capitalization of Donated Work.**

Improvements accomplished on donated real property at the expense of the user, with no expense to the government, must be capitalized to the applicable real property record if total costs are equal to or exceed \$100,000 and increases the useful service life by two or more years. Accomplish all donated work (self-help) under strict surveillance of the BCE and with prior approval

### **5.62. Adjustments to Real Property Records:**

5.62.1. **Inventory Changes.** Increases and decreases in basic inventory data or compensating for overage's and shortages of installed property revealed as a result of physical inventories, may be made by the use of AF Form 85, *Inventory Adjustment Voucher* or an appropriate memo for record by the Real Property Officer (RPO). Use the AF Form 85 or memo for record as the supporting document for preparation of the AF Form 1441.

5.62.2. **Damages to Facilities by Fire, Storm, or Other Causes.** Prepare an AF Form 1441 when necessary to reduce asset accounts due to partial destruction or damage of a facility. Annotate on the voucher the purpose and total cost of the facility as shown in the real property records.

5.62.2.1. Engineering must survey and validate the extent of the damage and the RPO must record the decrease to the real property records.

5.62.2.2. When damage is by fire, include a copy of the fire report, when available, as a supporting document to the voucher.

### **5.63. Preparing Vouchers.**

An AF Form 1441 is the only authorization document for changing real property records or assets accounts. Cost data must be obtained from the completed work order cost report.

### **5.64. Recording Changes to Records.**

See the WIMS on-line documentation for more information (AFCSM 32-202, part three).

### **5.65. Transfer of Collateral Equipment.**

All items of equipment or property categorized as collateral equipment must be extracted from the DD Form 1354 and transferred to the equipment management office (EMO) upon acceptance of new construction. Transfer medical or dental collateral equipment to the base medical supply office.

### **5.66. Capital Improvement or Change in the Physical Capacity, Basic Data, or Description of Real Property.**

A conversion, alteration, extension, addition, or deletion determined to be a capital improvement must be updated in the real property records. Changes to real property which effects the physical capacity, basic data, or description of the property must be recorded in real property records.

### **5.67. Changes In Use of Real Property.**

When a portion of real property is altered to the extent that the classification is changed, an AF Form

123, *Request for Changed Use of Real Property*, must be used as a supporting documentation to the AF Form 1441 to update the real property records. To change from multipurpose to single purpose use delete transactions. To change from single purpose to multipurpose use add transactions.

### 5.68. Voucher Register and File (AF Form 1437).

All completed actions that affect real property accountable records must be entered in the voucher register. Some examples of supporting documents are listed in paragraph 5.71. The AF Form 1437 can be found in the Air Force Electronic Publications Library (AFEPL) CD-ROM or on the internet (<http://afpubs.hq.af.mil>).

5.68.1. **Assignment of a Voucher Number.** A separate voucher register must be kept for each real property account. Only one series of numbers is used for an account regardless of the number of installations involved. All vouchers must be entered into the register before updating real property records. Vouchers are numbered serially, beginning as of 1 October of each year.

5.68.2. **Maintenance of a Voucher Register.** AF Form 1437 must be maintained by the real property office as follows:

5.68.2.1. Fiscal Year (FY). Enter the numerical identification of the current fiscal year on each page of the register in the block provided.

5.68.2.2. Real Property Account (Installation) Code. Enter the primary/accountable real property installation code in the space provided.

5.68.2.3. Columns on Voucher Register.

5.68.2.3.1. Date. Enter the date for each voucher number assigned to the real property transaction.

5.68.2.3.2. Voucher Number. Enter voucher number as assigned to real property vouchers, AF Form 1441.

5.68.2.3.3. Work Order Number. Record the work order number associated with the voucher transaction.

5.68.2.3.4. Facility Number. Record facility number associated with the voucher transaction.

5.68.2.3.5. Remarks. Record any additional pertinent information pertaining to any particular voucher.

5.68.2.3.6. Column Heading. Do not change headings of columns in any manner.

5.68.2.3.7. Method of Recording. Make entries by typewriter or in ink. A single non-obliterating line must be drawn through an incorrect entry with the correct entry entered above. Erasures are not acceptable as a method of changing records in the voucher register.

5.68.2.4. **Cancellation of Voucher Numbers.** Do not reassign canceled voucher numbers. Stamp canceled vouchers "canceled" and enter a certification stating the cause of cancellation signed by the real property accountable officer or designated representative. When a voucher has been used to update the real property records, any cancellation of entries must be by another voucher reversing the incorrect entries with an explanation. Canceled vouchers must be filed in the voucher file.

5.68.2.5. **Lost or Missing Vouchers.** When a voucher is lost or missing, place an 8 1/2 by 11-inch sheet of paper, bearing the real property accountable officer's signature, in the voucher file. Enter the word "Lost" in the "remarks" column of the voucher register opposite the voucher number assigned.

5.68.2.5.1. Include the voucher number, the name of the organization involved in its loss if known, the date the voucher number was assigned, and any other available identification on the certificate.

5.68.2.5.2. Include a statement of the detailed circumstances of the loss and all actions taken to locate the voucher. Support this statement by correspondence or document evidence to indicate all possible locations have been searched.

5.68.2.6. **Invalid Vouchers.** Vouchers are deemed invalid if they have unauthorized signature, unexecuted certificate, missing or incorrect information, or lack of necessary supporting documents. Pending correction of the reason for deeming the voucher invalid, file suspense copies of invalid vouchers separately in an "invalid voucher file".

5.68.2.7. **Filing and Arrangement of Vouchers.** Maintain real property voucher files as follows:

5.68.2.7.1. Spot check voucher for errors and signature before filing.

5.68.2.7.2. File vouchers in numerical sequence, by fiscal year. Segregate vouchers in the permanent voucher file by real property installation code.

5.68.2.7.3. Ensure that each update to the real property accountable records is supported by a voucher in the file.

5.68.2.7.4. Ensure that canceled vouchers bear the real property officer's certification of cause for cancellation.

5.68.2.7.5. Retain as permanent records.

### **5.69. Voucher and Supporting Documents:**

5.69.1. Air Force Form 1441 together with other supporting documents are required to update and add real property accountable records.

5.69.1.1. AF Form 1441 is not a valid voucher until it bears the signature of the real property accountable officer or designated representative. Delegate this authority in writing to the individual responsible for updating real property records.

5.69.1.2. Preparation of AF Form 1442 is not required for changes in space use or other changes not actually requiring a detailed analysis. If an AF Form 1442 is required, attach it to the AF Form 1441. The AF Form 1442 then becomes an integral part of the voucher file.

5.69.1.3. When work is completed, the BCE production control section must send the work order folder to the real property section. If the cost shown on the "Completed BCE Work Order Cost Report" meet the capitalization criteria, change the real property records according to cost report for the job. If the AF Form 332, BCE Work Request and DD Form 1391 show class "MC" work, and the completed project does not meet capitalization criteria, this work order must be expensed to remove the cost from the construction in progress account.

5.69.1.4. Identify funded and unfunded costs when the work involves a project accomplished in house by the BCE. Figures in parentheses indicate credit postings to general ledger accounts. All cost accounting data in the real property section of the AF Form 1441 must be completed by the real property office. Insert the general ledger accounts, by cost element, in the expense section of the form. General ledger accounts must conform to the account list in the Air Force Real Property Financial Accounting Procedures and AFP 177-31, Attachment 1, Appendix K31.

5.69.1.5. After the required changes have been made to the real property record, return the work order folder to the appropriate office (production control or financial management) for filing. File a signed copy of the work order as supporting documentation to the real property voucher. Return the entire folder to the appropriate office when a change is not required and annotate the work order folder that "No AF Form 1441 required".

5.69.1.6. The original copy of the voucher is retained by the real property accountable officer, with the completed AF Form 1442, where appropriate, and is designated the official real property voucher. After updates have been made to the real property records the voucher is filed. Send one copy of each AF Form 1441 along with the reconciled general ledger to DFAS monthly.

5.69.1.7. Use an AF Form 1441 to update real property records for changes to facilities physical characteristics, and entries from memorandum of records, resulting from improvements to leased facilities.

### **5.70. Balancing Real Property Accounts.**

To ensure real property assets are in balance with the real property general ledger accounts and applicable statistical accounts, the following information must be compiled from the real property control ledger and sent to DFAS. Submit information by BCE memorandum before the general ledger

closing and preparation of the trial balance by DFAS.

- 5.70.1. Total Air Force real property costs, applicable to real property ledger assets accounts 17101, 17102, 17103, for example.
- 5.70.2. Total annual rental for all leased facilities (general ledger statistical account 935).
- 5.70.3. Total estimated value of real property in leased by the Air Force (general ledger 936).
- 5.70.4. Total estimated value of real property donated to the Air Force (general ledger statistical account 937)
- 5.70.5. Information required to balance with DFAS general ledger is programmatically provided on the Real Property Control Ledger. The BCE memorandum should only be a cover letter transmitting a copy of Part III of the control ledger to the Defense Finance and Accounting Service and AF Forms 1441.

### **5.71. Supporting Documents.**

**5.71.1.** Use the following as supporting documents to real estate vouchers:

- 5.71.1.1. AF Form 85, **Inventory Adjustment Voucher**
  - 5.71.1.2. Certified memorandums
  - 5.71.1.3. AF Form 200, **Financial Liability Investigation of Property Loss**
  - 5.71.1.4. AF Form 2324, **DoD Fire Incident Report**
  - 5.71.1.5. AF Form 300, **Facility Disposal**
  - 5.71.1.6. AF Form 327, **Base Civil Engineer Work Order**
  - 5.71.1.7. AF Form 332, **Base Civil Engineer Work Request**
  - 5.71.1.8. DD Form 1149, **Requisition and Invoice Shipping Document**
  - 5.71.1.9. AF Form 1445, **Materials and Equipment List**
  - 5.71.1.10. DD Form 1348-1, **DoD Single Line Item Release/Request Document**
  - 5.71.1.11. DD Form 1354, **Transfer and Acceptance of Military Real Property**
  - 5.71.1.12. Reports/Minutes from the Facility Board meetings.
  - 5.71.1.13. Leases or licenses showing acquisition or disposition of real property or real estate interests.
  - 5.71.1.14. Certified WIMS real property reports
  - 5.71.1.15. AF Form 1442.
- 5.71.2. Use copies of title evidence and deeds when available. If these documents are not available, use an audited real estate map to support updates to the real property records.
- 5.71.3. Document all property transactions, structural and valuation changes with continuity and thoroughness so personnel not familiar with the transaction can readily interpret them by referring to the voucher and its supporting documents.

### **5.72. Filing Supporting Documents.**

Affix supporting documents to the voucher. Maintain the file by voucher number in individual folders. Documents such as leases, easements, logistic support agreements are subject to reviews or examinations. File these documents in separate folders in one or more specifically designated sections of the filing system with adequate cross-reference.

### **5.73. Referencing Vouchers to Original Documents.**

Reference vouchers to original documents and sources of basic data. Examples are maps, drawings, transfer documents, inventories. Do not use references to verbal information and written or transcribed information not signed or initialed by authorities as backup information to support vouchers.

### **5.74. Real Property Control Ledger.**

The ledger is produced in two parts. Part 1 is by installation and shows real property assets (cost and

unit quantity) by BCE account code and general ledger asset account, as well as voucher activity for the fiscal year. Part 2, "General Ledger Reconciliation Report," enables DFAS personnel to reconcile the General Ledger with the RCS: SAF-MII(AR)7115, USAF *Real Property Inventory Detail List* inventory report. See the WIMS on-line documentation for more information (AFCSM 32-202, part three).

### **5.75. Original Graphic Records.**

The BCE must maintain a complete file of original graphic records. Maps, plans, drawings, and specifications must be provided to the Air Force with the DD Form 1354 upon transfer of new construction or within 90 days after transfer. These graphic records and real estate maps are considered part of real property records although they may be physically located elsewhere within the BCE organization.

### **5.76. Real Estate Maps.**

Prepare and maintain a current real estate map illustrating all tracts of land for each Air Force Installation the BCE maintains real property accountability. The map shows real estate documents such as deeds, easements, permits, licenses, leases, declarations of taking, letters of transfer, or similar authentication.

5.76.1. Project ownership maps, master plan tabs, or real estate maps furnished by the Corps of Engineers, Department of the Army, may be used to prepare Air Force real estate maps. Bring discrepancies between maps to the attention of the district engineer for correction. Close coordination with the district engineer or the real estate agent is a valuable aid in this matter.

5.76.2. Ensure maps, land inventory, and real property land holding records are always in agreement. Revise maps affecting Air Force interests in land immediately upon receipt of documents from a real estate agency. Revisions may be made to existing maps, but a new map is recommended when there are numerous changes.

5.76.3. The signature of the BCE or designated representative is required in the lower right-hand corner of the map. Revisions to existing maps may be marked in a similar manner, indicating the reason for the change. Show the date of the signature in each instance.

### **5.77. How to Maintain Maps, Plans, Drawings, and Specifications.**

Keep the following maps, plans, drawings, and specifications on file:

#### 5.77.1. Grounds

5.77.1.1. Regional map.

5.77.1.2. Installation real estate map

5.77.1.3. Site plans, general.

5.77.1.4. Site plans, detailed if available.

#### 5.77.2. Buildings and Structures:

5.77.2.1. Installation layout maps. Include legend and building schedule.

5.77.2.2. Drawings prepared by the installation for O&M projects

5.77.2.3. Negatives of standard drawings

#### 5.77.3. Utility Systems:

5.77.3.1. Water distribution system. Inched legend and valve location.

5.77.3.2. Sewage system which includes a legend.

5.77.3.3. Gas distribution system which includes a legend.

5.77.3.4. Heat (steam or hot water) distribution system with legend.

5.77.3.5. Gasoline storage and distribution system which includes legend

5.77.3.6. Storm drainage system

5.77.4. Other maps, plans drawings, and specifications:

5.77.4.1. Roads, aprons, runways, and parking areas.

5.77.4.2. Railroads.

5.77.4.3. Strip maps, profiles, sections, and other drawings that give essential dimensions and details of the “as built” features.

5.77.4.4. Photographic prints and aerial photographs

5.77.5. All maps plans, and drawings must be kept up to date, by making changes, additions, and deletions as soon as changes occur.

5.77.5.1. Keep memorandums for record, informal sketches, and notes until corrections can be entered on master copies. AF Form 1442, item VIII, must be completed to properly document real property records when record prints are changed.

5.77.5.2. If prints are not changed at the time property accountable records are posted, use the following procedures.

5.77.5.2.1. When projects cause delay in updating maps, drawings, etc., the engineering section must enter a statement on the AF Form 1442 as follows: “Maps, drawings, and plans have not been changed as a result of this work order. Estimated completion date of changes by \_\_\_\_\_ (enter date).”

5.77.5.2.2. The real property officer must voucher documents and set up a suspense system to ensure that record drawings, plans, etc., are brought up to date.

5.77.5.2.3. When the engineering section completes record drawing changes, the real property officer must line out the work “not” from the statement on the AF Form 1442 and place the date changes were completed over the lined out word.

5.77.5.2.4. Where covered utilities are involved, make every effort to have engineering change record drawings immediately.

### **5.78. Relocating Facilities.**

Do not relocate a building or structure without approval from the MAJCOM. Requests for facility relocation and site must be approved before any relocation.

### **5.79. Assigning Numbers for Buildings and Structures**

5.79.1. Assign a number to each facility (building and structure) which will be used throughout real property records. Before activation of an installation, numbers are assigned by the Corps of Engineers. After activation, numbers are assigned by the real property officer.

5.79.2. At new installations the reservation must be divided into geographical areas and separate blocks of consecutive numbers assigned to each area. Allow enough range for future expansion. Follow a uniform system for the sequence of numbers in each area. While assigning numbers keep in mind new facilities may be located between old buildings.

5.79.3. As many blocks of 100 numbers are assigned to each area. For example, where there is less than 100 buildings and structures in an area and expansion is not expected to increase the total to more than 100, only one block of 100 numbers (such as 1 through 99 or 100 through 199) should be assigned. When there are more than 100 buildings and structures in an area, numbers should be assigned in as many blocks as needed, such as 100 through 199 or 100 through 299. These areas must be subdivided numbered in logical sequence, by blocks.

5.79.4. Number facilities in a given area or block in single sequence regardless of the type of construction. Identifying numbers, as required to meet local needs, must be assigned to tent floors or winterized tents.

### **5.80. Assigning Facility Numbers to Pavements, Systems, Plants, and Railroads.**

Assign a real property identification number to each facility for which a real property record is maintained. Establish separate series for each of the general classifications; structures, pavements, systems, plants, and railroads. Do not assign two facilities the same numbers.

### **5.81. Assigning Facility Numbers to Land.**

Facility numbers assigned to land must appear at the end of the inventory in the consecutive facility number inventory listing. Reserve the highest series of numbers in the numbering system adopted for land; for example, 900, 9000, or 99000.

### **5.82. Changing Facility Numbers.**

Assign only one number to a facility for identification and inventory purposes. Apartments, rooms, wings, or other subdivisions of a building may be assigned identifying symbols for internal administrative reasons. Such symbols are not part of the assigned building number for real property accounting and reporting purposes.

5.82.1. Cantonment-type hospital wards, connecting separate buildings by corridors, assign separate numbers to individual wards. Divide connecting hospital corridors between connected buildings and prorate accordingly. When a building or structure is disposed or separate buildings are combined into one and a number previously assigned becomes available, the numbers must be kept unassigned as long as practicable to avoid confusion.

### **5.83. Moving a Building to a New Area.**

When a building is moved from one area or block to another, making the old number available, keep the old number unassigned as long as practicable to avoid confusion. Assign a new number fitting the new location to the building immediately upon completion of the move.

### **5.84. Municipal Type Numbering System.**

When the real property identification number of a building does not conform to a local municipal type numbering system, the base commander may assign an additional number. This aids local identification for mail distribution and the location of addresses by visitors. To assign an address number, the following procedures should be followed:

5.84.1. Where feasible, pick two streets, one running east and west, and another running north and south, as an axis. Work away from axis lines in both directions, designating streets as east and west and north and south as appropriate.

5.84.2. Allot 100 numbers to each block (1 to 99, 100 to 199 for example). When numbers exceed 100 in a block, use half numbers (95 1/2, etc.). Municipal numbers must not include letter prefixes.

5.84.3. Assign odd numbers to one side of the street, even numbers to the other.

5.84.4. Use of "ZIP Code" should be limited to delivery zones already established by the United States Postal Service.

5.84.5. Show municipal numbers at the entrance to a building large enough to be easily read from the street. Show real property identification numbers at either side or back of the building. Enter municipal assigned numbers and street addresses on the real property record. If a building is assigned a municipal type number, do not use that number in any manner for real property inventory reporting.

5.84.6. When only the real property number is used to identify a facility, post it on the usual vehicle approach side of the structure large enough to be easily read.

### **5.85. Designations for Streets.**

Base commanders may assign local names and numbers, including titles (street, avenue, lane, drive,

parkways for example) to streets and roads within the boundaries of installations under their jurisdiction subject to such control as the MAJCOM may wish to exercise and subject to the criteria of AFI 36-3108, *Memorialization Program and Ceremonies*.

### **5.86. Accounting for Air Force Property in General Services Administration Space. .**

GSA has established a “minimum standard” for general purpose space. This minimum standard includes satisfactory lighting, partitions, and, where absolutely necessary for efficient operation, heating facilities, drinking facilities, and other related general purpose facilities. If the Air Force determines it has a requirement beyond the minimum standard established by GSA, the Air Force is required to install additional equipment and it is usually transferred to GSA. Such equipment includes lighting fixtures, heating equipment, floor coverings (except rugs and carpeting), air conditioning, ventilating systems, and electric water coolers.

5.86.1. If GSA is reimbursed for installation, maintenance, and repair, GSA has no objection to Air Force tenant agencies outside the Washington, DC area retaining title and accountability for Air Force purchased installed equipment.

5.86.2. If determined more practical to transfer Air Force purchased installed equipment to GSA, no charge is made for indicated services. Use a DD Form 1149 to transfer equipment to GSA. The decision to transfer equipment must be made by the responsible commander, upon request from the tenant activity.

5.86.3. If title to the equipment is retained by the Air Force activity, the activity furnishing logistic support must maintain real property accountable records. Real property accountable records for Air Force recruiting activities are maintained by HQ USAFRS and must not be reported in the real property inventory.

5.86.4. If detached Air Force activities (recruiting stations, for example) are occupying space rent free, maintenance of real property records is not required. In such instances, equipment, such as window air conditioners, must be maintained by the support CE on “Unit Property Record” non-EAID property.

5.86.5. Equipment items, such as laboratory, photographic, and communications equipment, are retained by the Air Force tenant agencies.

### **5.87. Government Property Leased to Non-governmental Agencies.**

If only part of an installation’s facilities are leased to a non-governmental agency, a copy of the lease along with the AF Form 1441 becomes the voucher and must be updated into the real property records. The lease is the supporting document to the voucher.

5.87.1. At termination of the lease, prepare a voucher to record the termination using a copy of the lease as a supporting document to the voucher. If the lease terminates on its own terms, make entries in the WIMS lease or outgrant non-lease data fields.

## ***Section 5H—Inventory and Inspection Procedures***

### **5.88. Real Property Inventory.**

Make an initial physical inventory within one year from activation of an installation. Include a check of data on available records such as description, capacity, and basic data concerning the buildings, utility systems, and other facilities for which the real property office is accountable. A progressive inventory may be made and is recommended.

5.88.1. Correct description errors in the real property records and make adjustments in discrepancies for capacity or basic facility data.

5.88.2. Prepare an annual statement at the end of each fiscal year certifying that a selective physical check of real property has been made and the real property records adjusted accordingly. Voucher this transaction and file it in the voucher file.

5.88.3. If restored basic data appears incorrect, take exact measurements and establish accurate records. Detailed measurements other than those necessary to establish accurate records are not required. Once a physical inventory is established, later inventories may be limited to the validation of reported changes and a selective inventory of installed real property, to ensure the property is intact.

5.88.4. The base housing officer must inventory real property installed equipment (RPIE) in housing units at check out and check in of occupants. See AFI 32-6001, *Family Housing Management*.

5.88.5. When the real property accountable officer changes, both the individual relinquishing responsibility and the individual assuming responsibility must comply with paragraph 5.4.

### **5.89. Inventory of Real Property Installed Equipment.**

Except as provided in paragraph 5.79, inventories of reportable plants and systems ("X" line items) as reflected in the base RCS: SAF-MII(AR) 7115 report, must be made by the accountable real property officer on the selective basis, as determined by the BCE. Use of locally prepared counting slips or building inspections reports is authorized in compiling data obtained from the inventory. Report discrepancies disclosed by inventories to the BCE for investigation. Make adjustments to real property accountable records if warranted as a result of the investigation.

### **5.90. Scheduling Inventory Inspections of Real Property.**

Local inventory inspection procedures are prescribed by the BCE, in writing. Inspect buildings when there is a change of occupancy. Prepare an annual statement certifying a selective physical check of real property has been made and adjust real property records accordingly. Voucher the certified statement and place the voucher in the voucher file.

5.90.1. Inventory outgranted buildings at the beginning and end of the outgrant. Details of the inventory of outgranted property must be attached to and part of the legal outgrant file.

### **5.91. Installation Boundary Inspection and Identification:**

5.91.1. **Scheduled Inspection.** To prevent encroachment on Air Force owned or controlled property, commanders, through their BCE, must ensure that boundaries are inspected at least once a year. The inspection must cover all land easements, leases and other documents which the Air Force has a real estate interest. Report unauthorized occupancy and resolve it as soon as possible. See AFI 32-9003, *Granting Temporary Use of Air Force Real Property*.

5.91.2. **Boundary Identification.** Reservation boundaries are surveyed, marked, or fenced only when specifically authorized. Simple inexpensive signs, blazed trails within the installation along property lines through wooded areas, or other similar methods usually enables the installation commander to identify property boundaries.

## ***Section 5I—Real Property Reporting***

### **5.92. Why Reports Are Needed.**

Reports are required to establish a real property inventory for use by installations and MAJCOMS. Reports furnish data to HQ USAF to compile the Central Real Property Inventory.

5.92.1. This inventory is a consolidation of data submitted by MAJCOMS and is the basic source of information for reports of status, cost capacity, condition, use, maintenance and management of real

property. The inventory is used to prepare numerous summary reports for use by Congress, Department of Defense (DoD), Air Staff, General Services Administration (GSA), and other government agencies.

5.92.2. The real property inventory includes all real property under the control of the Department of the Air Force that is owned, leased, acquired by permit or license, or otherwise acquired and controlled by the Air Force. Facilities acquired from other military departments and government agencies must also be included.

5.92.3. The inventory does not include:

5.92.3.1. Property in an officially designated combat zone.

5.92.3.2. Property in the national industrial reserve or national security clause, unless such property is under Air Force Control.

5.92.3.3. Property furnished by GSA.

### **5.93. Authority for Real Property Reporting.**

5.93.1. Title 10 U.S.C. 2701 of the National Security Act, requires the Secretary of Defense to:

5.93.1.1. Records of fixed property, installations, major equipment items, and stored supplies of military departments maintained on both a quantitative and monetary basis.

5.93.1.2. Report property assets periodically to the President and Congress.

5.93.2. AFREA is responsible for maintaining the central real property inventory.

### **5.94. Reports in the Real Property Inventory System.**

The inventory system is composed of two major reports as follows:

**5.94.1. USAF Real Property Inventory Detail List.** This report provides data on all existing facilities and land for which the Air Force is accountable. **Note: This is a WIMS generated report.**

**5.94.2. AF Form 1192, USAF Installations Characteristics Report, RCS:** This report provides noninventory characteristics data on newly acquired, existing installations, and installations programmed for Air Force use.

### **5.95. Reporting Responsibilities.**

See AFI 32-9005 for installation commander and MAJCOM reporting responsibilities.

### **5.96. How to Complete and Submit AF Form 1192.**

Entries on AF Form 1192 are completed as follows:

**Block 1.** The initial report is number one. Thereafter, enter numbers in sequence for later reports.

**Block 2.** The date the report is prepared.

**Block 3.** Purpose of report.

To program an installation check the box in block 3 next to this category and complete all applicable blocks on the form except 27 & 29. Block 29 will be completed by AFREA/DR.

To establish an Air Force installation check the box in block 3 next to this category. This action indicates that new real property or a programmed installation has been acquired or accountability has been accepted. Complete all applicable blocks for a new installation except Block 27. This block will be completed by AFREA/DR.

To report a change or deletion of an installation, check the box next to this category. Complete blocks 1-8, 27 and the blocks with the changes from the previous report.

**Block 4.** Enter the full name of the installation. The name must no more than 40 characters.

**Block 5.** Enter all former names and codes. Include programmed names and former installation indicators or former permanent installations numbers (PIN). If more space is needed, use the reverse of the form.

**Block 6.** Enter the installation abbreviated name and three-digit installation kind code shown in the Air Force Corporate Data Dictionary. The abbreviated name must not exceed 17 characters.

**Block 7.** Enter the abbreviated data item for state, possession, or country name and the two position data code. (See the Air Force Corporate Data Dictionary for this code. If the installation is situated in more than one state, prepare a separate AF Form 1192 for each state).

**Block 8.** Check the block that indicates the type of installations. Abbreviations are as follows:

P - Primary

A - Auxiliary

O - Off-base

D - Detached

DL - Detached Leased

**NOTE: See attachment 1 for definitions.**

**Block 9.** Enter the three letter command code and the two digit alpha command code of the major command having real property jurisdiction over the installation. For industrial and ANG installations, use codes 51 and 54, respectively.

**Block 11.** Enter the name and installation code of the parent installation to which assigned. Note: Primary, Detached and Detached Leased installations are their own parent installations and will have the same code as block 28 even though they may have a support installation to handle real property accountability for them.

**Block 12.** Enter the name and installation code of the installation furnishing real property accountability. For nonindustrial installations, enter the 17-position installation name and the four-alpha position installation indicator code of the installation providing real property support. For industrial installations, enter the contractor's name.

**Block 13.** Enter the name of the nearest city over 10,000 persons, and the state or country.

**Block 14.** Enter distance (air miles) and direction from nearest city over 10,000 persons. The direction should read the installation from the city (example: 8 miles NNW, 50 miles SW).

**Block 15.** Enter the name of the nearest town or city.

**Block 16.** Enter distance (air miles) and direction from nearest town or city. The direction should read the installation from the city (example: 3 miles NNW, 5 miles SW).

**Block 17.** Check the proper block to show either rural or urban.

Urban - Land located in an unincorporated place of 2,500 or more inhabitants or in a densely settled fringe area around cities of 50,000 or more.

Rural - All other land.

**Block 18.** Enter the street address of the installation, if urban.

**Block 19.** Enter the name of the major county of location and its code. For county codes, see the Air Force Corporate Data Dictionary.

**Block 20. Remarks.** For detached leased installations, list the entire lease contract number. Where more than one lease is acquired, list entire contract number of leases. If disposal of installation provide information on cancellation of lease or deed information. List usable runways, individually by length and widths.

Active - When flying activities are used to support the Air Force activity at the installation, or jointly, with other than military flying facilities

Inactive - If flying facilities are present but not used

None - If no flying facilities

Requirement - If there is an approved requirement for flying activities.

**Block 21.** Give coordinates in degrees, minutes, and seconds on newly established installations.

**Exceptions:** Do not give coordinates on any newly acquired installations, where the showing of coordinates would violate security. The AF Form 1192 must remain unclassified. If the giving of coordinates would classify the form, show "00 00 00."

**Block 22.** Enter the date the installation began functioning as a US military installation.

**Block 23.** Enter the starting date of the Air Force major operation on the installation.

**Block 24.** Enter the reactivation date only when the installation is a former Air Force installation.

**Block 25.** Enter the inactivation date of an Air Force major operation.

**Block 26.** Enter the function of the installation and code. For codes, see the Air Force Corporate Data Dictionary.

**Block 27.** Installation Indicator. Upon receipt of report to establish an installation, AFREA/DR assigns the installation indicator. On later change reports, the initiating installation enters the code previously assigned.

**Block 28.** Show in the proper box the status of the installation, according to definitions in attachment 1. For reporting the disposal of an installation include the disposal date. The command having real property jurisdiction must ensure that a final AF Form 1192 is processed.

**Block 29.** The programmed installation indicator code is entered by AF/XOOB. On change reports, enter the program installation code shown in the USAF Programming Document.

**Block 30.** Signature - Type the name of the major command civil engineer or authorized representative. The civil engineer signs in the space and adds the date in the space provided. The civil engineer's signature indicates approval of the AF Form 1192.

## 5.97. Supporting Responsibilities

5.97.1. Installation Commander must ensure that accurate reports are prepared and submitted through channels to the MAJCOM as follows:

5.97.1.1. Submit AF Forms 1192 and changes no later than 15 days after the change occurs.

5.97.1.2. Submit the RCS: SAF-MII(AR)7115, *USAF Real Property Inventory Detail List*, as required by the MAJCOM.

5.97.2. Real property reports must be completed for each installation where the government holds real property interests. Make sure that complete real property reports are prepared for installations of other commands for which the base maintains real property records. Send these reports through channels to the MAJCOM having real property jurisdiction.

5.97.3. Validate the condition and the use of all facilities and ensure that the information is accurate.

5.97.4. The MAJCOM must ensure:

5.97.4.1. Implementation of instructions to assure information contained in reports is accurate.

5.97.4.2. Review reports to ensure the information is complete and in compliance with instructions.

5.97.4.3. Assure that the RCS: SAF-MII(AR)7115, is submitted for each installation under the command jurisdiction, with existing real property interests. Ensure edits are performed and rejected items are corrected before submission to AFREA/DR.

5.97.4.4. Inventory changes that occur during the fiscal year are reported as of the end of each fiscal year.

## **5.98. Preparation of Reports:**

5.98.1. Facilities within areas designated as Air Force installations must be reported in the real property inventory according to the AF Forms 1192. Do not include programmed installations in the real property inventory. Programmed installations are identified by a "P" (Programmed) in the installation activity code column and in the PD document.

5.98.2. Do not report installations not entirely under Air Force command jurisdiction or jointly used with others. Report only facilities assigned for exclusive Air Force use or for which the Air Force is accountable.

5.98.3. Do not report host-controlled facilities in which the Air Force is provided community services such as utility systems, roads, walks, schools, chapels, libraries and facilities space furnished by GSA.

5.98.4. When the entire installation is under Air Force jurisdiction, report all facilities regardless of the agency or organization using them.

5.98.5. For a newly acquired installation, applicable inventory reports must be prepared and submitted on the first scheduled reporting date after acceptance.

5.98.6. All reports required by this handbook and AFI 32-9005, or revisions must be classified according to DoD Regulation 200.1-R/AFI 131-401.

5.98.7. Installations under one MAJCOM, but supported by an installation of another MAJCOM for real property accountability, must apply the following procedures:

5.98.7.1. The MAJCOM furnishing the real property accountability must ensure reports are prepared by its support installation.

5.98.7.2. The support installation furnishing real property accountability must:

5.98.7.2.1. Prepare the report and furnish the required copies to the local installation commander or other headquarters of the MAJCOM having real property jurisdiction.

5.98.7.2.2. Furnish information copies to its MAJCOM headquarters and lower echelon headquarters of the command requiring them.

5.98.7.2.3. Retain file copies for record and reference.

5.98.7.3. For a non-staffed installation or where reports need not be reviewed locally, the MAJCOM having real property jurisdiction informs the support installation how to submit reports.

5.98.7.4. The support installation must send reports on time to meet due dates established by the

MAJCOM having real property jurisdiction. The command with real property jurisdiction must submit all reports to AFREA within the time limits prescribed.

5.98.7.5. Buildings, structures, utility systems, pavements, and land must be categorized according to the basic item category code in the Air Force Corporate Data Dictionary which most nearly describes the property. Alpha codes or category codes after the 923-XXX series must not be used in real property inventory reporting.

5.98.7.6. In preparing the detailed inventory at installation level, all real property facilities must be listed in facility number sequence.

5.98.7.6.1. Each line item in the inventory must be identified by a facility number.

5.98.7.6.2. Each runway and building must be reported separately and identified by a five-position numeric facility number.

5.98.7.6.3. Taxiways and aprons may be combined into one line entry, under one facility number.

5.98.7.6.4. Utility plants and systems, such as heating, air-conditioning, generators, fire protection systems, located within a building or structure (missile launch facility), are to be reported in the proper category code as control code "X" items, with the same facility number and the building or structure in which the plant or systems are located. Attached carports and garages must be reported with the same facility number as the house served as an "X" line item.

5.98.7.6.5. Utilities, such as waterlines, gas lines, electric lines, roads, walks, curbs, and gutters, may be reported separately or in the aggregate at the discretion of the reporting office. Each utility reported separately must have a separate facility number.

5.98.7.6.6. Land items must be reported at the end of all other property. All land projects having the same types of interest (lease easement for example) may be combined and reported as one line item in the detailed inventory. Report In-Lease Special Interest (category codes 922-292, 922-294, 922-296, and 922-298) without acres, in all cases.

### **5.99. How to Establish and Maintain Real Property Inventory Records.**

5.99.1. The record structure for a facility may be multiple records within a facility. The following facility configurations (inventory control code combinations) are permitted.

5.99.1.1. Single purpose building (A).

5.99.1.2. Single purpose building within plants (A, X, X).

5.99.1.3. Multipurpose building (B,D,D).

5.99.1.4. Multipurpose building with plants (B,D, D, X, X).

5.99.1.5. Land record (C).

5.99.1.6. Miscellaneous structure (E)

5.99.1.7. Miscellaneous structure with plant (E, X, X).

5.99.2. Enter item entries in WIMS as follows:

5.99.2.1. For single purpose buildings, enter only one control code "A" item for each facility. **Note: When buildings are not used for two or more purposes and the "area amount" for the category code for the space is more than 500 square feet and does not require other units of measure, report as single purpose.**

5.99.2.2. Enter utilities within the building, such as heating and air-conditioning plants, electric emergency and primary power plants, and for protection systems, as inventory control "X" items, following the inventory control "A" entries. The utility entry must have the same facility number as the facility in which the utility is located.

5.99.2.3. Enter the cost or estimated value of the "X" inventory control code item; however, the cost for this item must also be included in the cost entry of the major inventory control code line. The "X" line item must be a non-add item for cost.

5.99.2.4. If the category code requires a unit of measure and the facility is outgranted (numeric entry,

except 51 and 54) in the tenant user column, enter the area unit of measure in the proper fields (outgrant, non-lease, or outgrant lease). If the category code requires "other amount" and the facility is outgranted, enter the other amount in the proper outgrant field.

5.99.2.5. Report attached garages and carports, regardless of size, as "inventory control" code "X". Note: use the same procedure as reporting utilities within a building. These entries follow the primary entry for family housing, using the same facility number as the housing unit. Enter detached carports as inventory control "E" items. Detached garages and carports should be the next series of facility numbers following the number of housing units they serve.

5.99.3. Enter multipurpose buildings as follows:

5.99.3.1. If buildings are used for two or more purposes and the "area amount" for the category code is more than 500 square feet and the category code for the space requires other units of measure, report as multipurpose.

5.99.3.2 A multipurpose building requires at least three different categories of space. Additional entries are required for each additional categories of space over two.

5.99.3.3. The first entry must be the primary entry (inventory control "B") for the overall building. This entry occupies the majority of the space in the building.

5.99.3.3.1. Follow this entry by additional separate entries (inventory control code "D" for each portion of the building that is constructed, permanently converted, or approved for current use (See AFI 32-9002, *Use of Real Property Facilities*, and Chapter 2 of this handbook), to accommodate a separate major function).

5.99.3.3.2. A separate "D" inventory control entry must be entered if space is more than 500 square feet and the category code requires another unit of measure. Identical space, regardless of location in a building, must be consolidated into one control code "D" entry.

5.99.3.3.3. Only one inventory control "D" item must be entered for each category of space. There must be an inventory control "D" entry with the same category code as the inventory control code "B" entry. **EXCEPTION: A composite medical facility must be an inventory control code "B" entry only. Separate activities within a composite medical facility must be entered as inventory control "D" items in the proper category codes.**

5.99.3.3.4. Inventory control code "D" entries may have different condition codes. The condition of the largest space occupied within the category determines the condition to be entered.

5.99.3.4. The tenant occupying 50% or more of the facility (space in inventory control code "D" entry) must be reported. The sum of the inventory control code "D" entries in "Vacant through outgrant lease" fields must equal the total of the inventory control code "B" entry.

9.99.3.5. If the category code calls for other unit of measure only, the other unit of measure must be shown in those fields, if the facility is vacant or outgranted.

5.99.3.6. Inventory Control code "X" items, serving the multipurpose building, must follow the inventory control code "D" entries for the building with the same facility number as the building. The cost or estimated value of the "X" items must be a non-add cost item.

5.99.3.7. For hospital facilities, enter in the "Other" field the usual bed capacity as defined in AFI 141-120, *Medical Resource Management Operations*, against the primary entry. **Note: The distinction of minor uses is for inventory purposes only. The intent is to reduce details and yet maintain records at MAJCOMs and HQ USAF. Installations must continue to keep detailed utilization and inventory data for local use.**

5.99.3.8. When the Air Force is using a portion of a non-Air Force owned building and reimbursement is being accomplished, such as an office building or warehouse, enter the building in the same manner as a single purpose building. The "Area" and if applicable "Other Amount" entries must cover only the portion of the building allotted to and accounted for by the Air Force.

5.99.3.9. Report the total square yardage of each runway as a separate entry. Exclude minor deviations in the length and width dimensions and features such as fillets.

- 5.99.3.10. Do not enter dirt runways made by grading or facilities connected therewith as real property (these items are to be expensed.)
- 5.99.3.11. Enter aprons and taxiways in the aggregate as one facility number where the Air Force interest, through tenant user and year completed, are identical.
- 5.99.3.12. Enter fire lanes and taxi lanes within the boundaries of aprons as “aprons.” Those portions of aprons adjacent to and extending 75 feet from the building, which are restricted for personal access to the building and vehicles other than aircraft, must be excluded from the apron category and entered as vehicle parking, roadway, sidewalk, or other designation.
- 5.99.3.13. Capitalize and enter only land acquired in fee and easements in perpetuity in the “Cost to the Government” fields. The estimated cost of donated property and property acquired by lesser interests must be shown in the “Estimated Value” field. Applicable per annum cost for the lesser interests will be shown in the “Rent Paid” field. See AFI 151-601, *Gifts to the Department of the Air Force*, and AFI 32-9001, *Acquisition of Real Property*, and Chapter 1 of this handbook for donated facilities.
- 5.99.3.14. Capitalize government funded costs incurred after donation and enter costs as “cost to government”. Donated addition to the Air Force owned facilities must not be capitalized, but these costs must be entered as an estimated value. If actual costs of donated facilities are not available, estimate the costs.

#### **5.100. Data Elements.**

For data elements see the WIMS software documentation found on-line (AFCSM 32-202, part three).

RUBY B. DEMESME

The Assistant Secretary of the Air Force (Manpower,  
Reserve Affairs, Installations & Environment)

## Attachment 1

### GLOSSARY OF REFERENCES AND SUPPORTING INFORMATION

<b>AAFES</b>	Army and Air Force exchange Service
<b>ACE</b>	Army Corps of Engineers
<b>AFCEE</b>	Air Force Center for Environmental Excellence
<b>AFOSH</b>	Air Force Occupational Safety and Health
<b>AICUZ</b>	Air Installation Compatible Use Zone
<b>ANG</b>	Air National Guard
<b>BAQ</b>	Basic Allowance for Quarters
<b>BCE</b>	Base Civil Engineer
<b>BLEPR</b>	Brief Lease Planning Report
<b>BREPR</b>	Brief Real Estate Planning Report
<b>CERCLA</b>	Comprehensive Environmental Response Compensation and Liability Act of 1980 (42 U.S. C. 9601 et seq)
<b>COE</b>	Corps of Engineers
<b>DDESB</b>	Department of Defense Explosive Safety Board
<b>DE</b>	Declaration of Excess
<b>DOD</b>	Department of Defense
<b>DODD</b>	Department of Defense Directive
<b>DRMO</b>	Defense Reutilization and Marketing Office
<b>EA</b>	Environmental Assessment
<b>EAID</b>	Equipment Authorization Inventory Data
<b>EIAP</b>	Environmental Impact Analysis Process
<b>EBS</b>	Environmental Baseline Survey
<b>ECZ</b>	Expanded Clear Zone
<b>E.O</b>	Executive Order
<b>EOD</b>	Explosive Ordnance Disposal
<b>EPA</b>	Environmental Protection Agency
<b>EIS</b>	Environmental Impact Statement
<b>ESMC</b>	Eastern Space and Missile Center
<b>FONSI</b>	Finding of No Significant Impact
<b>FPMR</b>	Federal Property Management Regulations (41 CFR 101) published by GSA
<b>GSA</b>	General Services Administration
<b>IICEP</b>	Intergovernmental and Interagency Coordination for Environmental Planning
<b>IRP</b>	Installation Restoration Program
<b>LEPR</b>	Lease Planning Report
<b>LQA</b>	Living Quarters Allowance
<b>MAJCOM</b>	Major Command
<b>MCP</b>	Military Construction Program
<b>MOA</b>	Memorandum of Agreement
<b>NCR</b>	National Capital Region
<b>NEPA</b>	National Environmental Policy Act
<b>OMB</b>	Office of Management and Budget

<b>ONCR</b>	Outside the National Capital Region
<b>OPR</b>	Office of Primary Responsibility
<b>OSHA</b>	Occupational Safety and Health Administration
<b>PCB</b>	Polychlorinated biphenyls
<b>POM</b>	Program Objective Memorandum
<b>RCRA</b>	Resource Conservation and Recovery Act of 1976 (42 U.S.C. 6901 et seq.)
<b>REMO</b>	Real Estate Management Office.
<b>REPR</b>	Real Estate Planning Report
<b>RPIE</b>	Real Property Installed Equipment
<b>SAFO</b>	Secretary of the Air Force Order
<b>SF</b>	Square Feet
<b>SHPO</b>	State Historic Preservation Officer
<b>SOW</b>	Statement of Work
<b>TSCA</b>	Toxic Substances Control Act of 1976 (15 U.S.C. 2601 et seq.)
<b>USPFO</b>	United States Property and Fiscal Officer
<b>UXO</b>	Unexploded Ordnance
<b>VHA</b>	Variable Housing Allowance

## Terms

**Accountability**--The obligation that a law or regulation imposes to keep accurate record of:  
 Property.  
 Documents.  
 Funds.

The person with this obligation might or might not have actual possession of the property, documents, or funds. Accountability applies primarily to records, while responsibility applies primarily to custody, care, and safekeeping.

**Acquired Land**--Land obtained from any private or public source other than land withdrawn from the public domain.

**Acquisition**--Obtaining use or control of real property or an interest in real property by purchase, condemnation, donation, exchange, leasing, revestment, or recapture

**Activation**--Starting up an Air Force function at an Air Force installation or facility.

**Air Force Proponents**--Air Force major command, installation, other component, or other agent designated to act on behalf of the Air Force, responsible for initiating or carrying out the proposed real property acquisition.

**Amenities**--For purposes of making adjustments under attachment 10, paragraph A10.1.3.2., amenities include:

- Paved streets
- Street lighting, at least at intersections.
- Sidewalks.
- Lawns, trees, and landscaping.
- General attractiveness of the neighborhood.

Community sanitation services.  
Reliability and adequacy of:  
    Water (safe for household use).  
    Electrical service  
    Telephone service  
    Fuel for heating, hot water, and cooking.  
    Police protection  
    Fire protection  
Unusual design features of the dwelling.  
Absence of disturbing noises and offensive odors.  
Standards of maintenance.

**Amortize**--Gradual reduction, redemption, or liquidation (paying off) of an account according to a specified schedule of times and amounts.

**Annexation**--A procedure by which a municipality, such as a city, town, or village, incorporates Air Force land within the corporate limits of the municipality. Procedures vary depending on state law.

**Appraisal**--A valuation or an estimation of value of property by disinterested persons of suitable qualifications. The process of ascertaining a value of an asset or liability that involves expert opinion rather than explicit market transactions.

**Asbestos**--A group of naturally occurring minerals that separate into fibers. There are six asbestos minerals used commercially: Chrysotile, Amosite, Crocidolite, Anthophyllite, Tremolite, and Actinolite. (Source: EPA "Purple Book" Definitions)

**Auxiliary Installation**--An installation with an aircraft operating area that provides operational activities in support of a primary installation and depends upon a primary installation for administrative and logistical support.

**Aviation or AICUZ Easement**--An estate of ownership conveying to the holder certain rights pertaining to aviation specified in an individual easement instrument (e.g., the right to overfly lands, height restrictions and noise generation) for the right to control the fee owner's use of the surface, by prohibiting uses which would result in aviation safety hazards (generation of smoke or dust, bird attraction ponds or crops or height obstructions). See DoDI 4165.57, 8 Nov 77, for details of the Air Installation Compatible Use Zones (AICUZ). (Reference AFI 32-7060 *Interagency and Intergovernmental Coordination for Environmental Planning* and AFI 32-1026, *Planning and Design of Airfields*).

**Base Flood**--A flood level that can be expected to occur on an average of once per 100 years (also known as a "100-year flood"). This term is used in the National Flood Insurance Program to indicate the minimum level of flooding a community uses in its flood plain management regulations.

**Basic Rental Rate**--The established monthly rental value of quarters before applying any authorized deductions or additions.

**Beneficial Occupancy (BOD)**--The date a facility is accepted for occupancy by the user.

**Building**--A physical plant and its improvements, including installed, permanently attached building

equipment that helps personnel use the building and its systems.

**Category**--A collective title or main heading for real property facilities with similar functions. Categories simplify referencing and reporting.

**Category Code**--The six-digit code identifying the function of the real property facility.

**Certificate of Necessity**--A written statement, signed by SAF/MII, which certifies it is necessary (for reasons vital to the national security) for the Air Force to exceed the cost limits established in AFI 32-9001 relative to annual rent or alterations, improvements, and repairs to leased buildings.

**Cession**--Ceding or yielding by a state of its legislative jurisdiction over government-controlled real estate to the federal government.

**Changed Use**--A change in the use of a facility or part of a facility that does not need conversion. Such a change in use exceeds one year.

**Clearance Easement**--The right to remove or prevent obstructions rising into the airspace, e.g., easements over areas beyond the ends of an airfield runway (approach or departure clearance zones) also, easements adjacent to the sides of the runway (transition zones), clearance for approach lighting sites or communication sites. **NOTE:** A clearance easement specifically does not include the right of aircraft passage over real estate, so the landowner may separately recover for loss of value to his or her real estate due to low and frequent flights of aircraft directly over the property.

**Collateral Equipment**--For accounting purposes, equipment attached to a building or utility that helps the facility operate. Bases identify these items in the base equipment management office (BEMO) property account and the equipment authorization inventory data (EAID). (See TA 563 for examples. See AFM 67-1, Volume V, chapter 14 for medical examples.)

**Commercial Facilities (Industrial-Type)**--Air Force-owned and -operated facilities housing a function that could be done by private industry, such as motor repair shops, laundries, bakeries, ice cream manufacturing plants, etc. (Exceptions are base exchanges, commissaries, and other nonappropriated fund activities.)

**Comparable Housing**--Housing in the private sector, equivalent in size, number of bedrooms, amenities, equipment, furniture, and services, including garage. In determining comparability, it is necessary to consider all distinguishing characteristics such as site and the amount and utility of space that affect the relative rental value.

**Condemnation**--A judicial proceeding started by the government through the Department of Justice for the purpose of exercising its right of "eminent domain". Condemnation results in passage of title and land to the government with or without the consent of the landowner, but with "just compensation" paid to him or her.

**Condition**--The physical ability of a facility to house an organization or function.

**Consideration**--Compensation or an equivalent (such as money, material, or services) that is given for something acquired or promised. This may be the appraised fair market value of the real property, or

may include protection of the real property against loss by fire, water, or other causes, or any mutually agreeable arrangement that does not conflict with governing statutory limitations.

***Construction.***

Erecting, installing, or assembling a new facility.

Adding to, altering, expanding, converting, or replacing an existing facility.

Moving a facility from one installation to another.

Construction includes:

Equipment that personnel install on the facility.

Site preparation, excavation, filling, landscaping, or other improvements that personnel make to the land.

***Consumer Price Index (CPI)***--This index is maintained by the Bureau of Labor Statistics, Department of Labor.

***Contaminated Real Property***--Property contaminated by live ordnance, chemical or biological warfare, radioactive material, or hazardous substances.

***Continental United States (CONUS)***--United States territory, including the adjacent territorial waters, located within the North American Continent between Canada and Mexico.

***Conversion***--For purposes of this handbook only, a structural alteration of a real property facility to provide for a use other than the one it was originally designed (or later converted) for, thereby making the original or converted Air Force design obsolete.

***Critical Action***--(Applies to flood plains management and wetlands protection.) Any activity for which even a slight change of flooding would be too great.

***Declaration of Excess (DE)***--A written statement, signed by the installation commander and sent to AFREA/MI through the major command, stating that certain real estate is excess to installation requirements, was found to be excess through a periodic utilization survey, or is involved in an installation closure announcement. (See AFI 32-9004 and chapter 4 of this handbook.) The declaration contains an identification of the land, type of governmental real estate interest, facility inventory information, recommended disposal dates, reuse.

***Declaration of Taking***--A pleading filed with a federal court of law in a real property condemnation proceeding whereby, on filing the pleading together with deposit of estimated "just compensation" in the court, the real estate interest is vested in the government.

***Designation***--An installation's official name, which appears in a Special Order.

***Detached Leased Installation***--A non self-supporting installation with a leasehold interest in the entire installation, used for administrative, operational, or training missions not in support of any particular primary, auxiliary, or offbase installation.

***Disposal***--For the purpose of this handbook, this term means any authorized method of permanently divesting the Department of the Air Force of control of, responsibility for, or any real property interest in, real property.

***District Engineer***--One of the several District Engineers, U. S. Army Corps of Engineers, who, under

Air Force Instruction 32-9006, *Army and Air Force Basic Real Estate Agreements*, normally acts as the Air Force real estate agent (an example is the Baltimore District Engineer).

**Division Engineer**--One of the several Division Engineers, US Army Corps of Engineers, who supervise the activities of certain District Engineers and are the intervening management level between the Chief of Engineers and District Engineers (e.g., US Army Engineer Division, North Atlantic, CENAD).

**Easement**--The right to use land of another for a specified purpose. Usually, the owners of the land continue in possession and may use it so long as such use does not interfere with the purpose for which the easement was granted. An easement may be acquired for a specific term or in perpetuity. An easement differs from a license because the privilege granted usually cannot be withdrawn during its term and it is considered to be a "permanent" interest in the real estate if the term exceeds 1 year.

**Eminent Domain**--The right of the government to take private property for public use upon payment of "just compensation.

**Employee Representative**--A person designated by an installation commander through formalized orders to recommend rates for rental quarters and other facilities. Neither employee representatives nor their subordinates can be residents of the quarters being considered. When selecting representatives, the installation commander should consider both interests of management and occupants.

**Environmental Assessment (EA)**--A document, occurring early in the planning process, for evaluating the potential environmental impact of a proposed action. An assessment covers the same topical areas as an Environmental Impact Statement (EIS), but with less detail. An assessment results in a decision that an EIS is necessary, or that the proposed action will have no significant effect and, therefore, a Finding of No Significant Impact (FONSI) can be made (AFI 32-7061).

**Environmental Impact Statement (EIS)**--A detailed full-disclosure report which, pursuant to the National Environmental Policy Act (NEPA) of 1969, (42 U.S.C. 4321-4347), identifies and analyzes the anticipated environmental impact of a proposed Air Force action and discusses how the adverse effects of the proposal will be mitigated. It is prepared in two stages: a draft statement which is filed with the Environmental Protection Agency (EPA) and made available to the public for comment, and a final statement which is revised to reflect comments made on the draft EIS (AFI 32-7061).

**Equipment Authorization Inventory Data (EAID)**--An item of nonreplaceable equipment that the Air Force authorizes.

**Established Community**--Ordinarily the nearest population center (Metropolitan Statistical Area or an incorporated or unincorporated city or town) having a year-round population of 1,500 or more (5,000 or more in Alaska), provided that it has minimum essential medical facilities (i.e., at least one physician and one dentist) available to occupants of government quarters. Population determinations are based on the most recently published decennial census of the United States

**Estimated Current Value**--The estimated current fair market value of real property normally is established by the base civil engineer (BCE); the estimate is not established by a formal appraisal. This value may be adjusted to allow for the cost of site restoration.

**Estimated Current Value**--The estimated current fair market value of real property normally is established by the base civil engineer (BCE); the estimate is not established by a formal appraisal. This value may be adjusted to allow for the cost of site preparation

**Excess Real Property**--Air Force real property which has been screened within the Department of the Air Force and with other military departments and defense agencies and determined to be excess to Department of Defense requirements.

**Facility**--(DOD) A real property entity consisting of one or more of the following:

- Building
- Structure
- Utility system.
- Pavement.
- Land.

**Facility Designation**--The six-digit basic item number and nomenclature that identifies one of the following:

- Original design.
- Original Air Force designation (for all facilities not constructed by or for the Air Force).
- Permanently converted design.
- Changed use.

**Fair Market Rental Value**--The amount that, in a competitive market, a well-informed and willing lessee would pay and that a well-informed lessor would accept for the use and occupancy of the property for a particular term.

**Fair Market Value**--The amount in cash, or on terms reasonably equivalent to cash, for which the property would be sold by an owner willing, but not obligated to sell, to a purchaser who desires, but is not obligated, to buy.

**Fee Ownership**--Title to real property belonging to a person or the government where full and unconditional ownership exists. Such ownership does not necessarily include mineral rights.

**Flood Plain**--The 100-year flood plain is the lowland area adjoining inland and coastal waters, including flood prone areas of offshore islands that would be inundated by the base flood. The "critical actions" (or 500-year) flood plain is the area that would be inundated by a 500-year flood. (AFI 32-7064, *Integrated Natural Resources Management*)

**Foreign Excess Property**--Real property located outside the United States, Virgin Islands, Commonwealth of Puerto Rico, and territories or areas administered by the United States which officially has been determined to be excess to the needs of the Air Force.

**Friable Asbestos**--Asbestos capable of being crushed, pulverized, or reduced to powder by hand pressure.

**General Services Administration (GSA)**--For purposes of this handbook, this term means GSA, Public Buildings Service, Offices of Real Property Disposal, listed in attachment 13.

**General Purpose Space**--Space in buildings and associated land under the assignment authority of the

General Services Administration (GSA) which GSA has found to be suitable for use by federal agencies, generally. The following categories of space are excluded:

Space in any building in a foreign country.

Space in any building on the grounds of a military or Coast Guard installation.

Space in airports.

"Special Purpose" space, as defined in GSA Federal Property Management Regulations (41 CFR 101, subpart 101-18.104-1).

**Geophysical Testing**--A search for a mineral that involves a physical presence on the land, some testing may require minimum drilling and use of explosives. Includes seismic testing but does not include core drilling for geological information or extraction of the mineral.

**Grantee**--One to whom a grant is made.

**Grantor**--The person by whom a grant is made. A transferor of property.

**GSA Reimbursables**--These are special services, beyond the standard levels of service normally provided by GSA, for which the Air Force must reimburse GSA.

**GSA Rent**--Formerly called "Standard Level User Charge (SLUC)", a rate charged by GSA for assigned space in government-owned or leased property for which GSA has the assignment responsibility. The user charge approximates commercial charges for comparable space and services.

**GSA Space**--Space in buildings owned or leased by GSA and assigned to an Air Force or other federal government activity. This space includes land incidental to the use of the space.

**Hazardous Substance**--The term means: (1) any substance so designated pursuant to Section 311(b)(2)(A) of the Federal Water Pollution Control Act, as amended (33 U.S.C. Sec. 1251 et seq.), (2) any element, compound, mixture, solution, or substance so designated pursuant to Section 102 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended (CERCLA) (42 U.S.C. 9601), (3) any hazardous waste having the characteristics identified under or listed pursuant to Section 3001 of the Solid Waste Disposal Act, as amended (42 U.S.C. 6901 et seq.), (4) any toxic pollutant listed under Section 307(a) of the Federal Water Pollution Control Act, as amended (33 U.S.C. Sec 1251 et seq.), (5) any hazardous air pollutant listed under Section 112 of the Clean Air Act (42 U.S.C. 7401), or (6) any imminently hazardous chemical, substance, or mixture with respect to which the Administrator of the U.S. Environmental Protection Agency (EPA) has taken action pursuant to section 7 of the Toxic Substances Control Act (TSCA) (15 U.S.C. 2601, et seq.). The term does not include chemicals or mixtures occurring naturally in the environment at naturally occurring concentrations.

**Highly Important to National Defense**--A property whose loss or severe damage does one of the following:

Causes a serious delay or reduction in defense, retaliatory, or war capabilities.

Requires a revision of the Military Operation War Plan.

**Historic Real Property**--Real property having significant characteristics relating to American history, architecture, archeology, engineering, or culture, which, under 16 U.S.C. 470 et seq., make it eligible for listing in the National Register of Historic Places.

***Hold Harmless Agreement***--A contractual arrangement whereby one party assumes the liability inherent in a situation, thereby relieving the other party of responsibility. Such agreements are typically found in leases and easements. Agreements or contracts in which one party agrees to hold the other without responsibility for damage or other liability arising out of the transaction involved. (Reference: Blacks Law Dictionary, Fifth Edition.)

***Inadequate Quarters***--Air Force-controlled substandard housing that is operated on an adjusted BAQ or rental basis.

***Industrial Facility***--Any Air Force owned, leased, or controlled real property facility which is used by a contractor for the purpose of fulfilling government research, development, test, evaluation, production, maintenance or modification contracts, or for the storage of production machinery and equipment in support of such activity.

***Ingrants***--Documents such as licenses, leases, permits, temporary or permanent easements, foreign base rights agreements, and treaties, under which the Department of the Air Force acquires an interest in, or control of, real estate in less than fee ownership.

***Installation***--(DOD) A grouping of facilities, located in the same vicinity, which support particular functions. Installations may be elements of a base.

***International Agreement Property***--Real property held under the terms of an agreement between the United States and another country.

***Jurisdiction***--See legislative jurisdiction.

***Lease***--A conveyance of exclusive possessory interest in real estate for a specified term in return for payment of rent or other consideration to the owner.

***Leaseables***--US-owned minerals, including oil and gas, subject to lease under the mineral leasing laws.

***Legislative Jurisdiction***--This term, when used in connection with a land area, means the power and authority of the federal government to legislate and to exercise executive and judicial powers within the area.

***Lessee***--One who possesses the right to occupy real estate under a lease.

***Lessor***--One who holds title to, and grants the right to use and occupy real property under a lease.

***License***--A privilege that can be withdrawn at will to use or pass over a licensor's real estate for a specific purpose such as right-of-entry for survey and exploration, right-of-entry for construction, tree topping. Licenses merely confer a privilege to occupy real estate at the sufferance of the owner. Licenses granted to other federal agencies are called "permits."

***Locatables***--US-owned hardrock minerals, including gold, copper and silver, on public domain lands subject to discovery and claim. **These are not leaseable or saleable materials.**(Title 30, U.S.C., CH 22 and 43 CFR 3500.0-5 (n)).

**Major Command (MAJCOM)**--For purposes of this regulation, the term includes the US Air Force Academy, and the National Guard Bureau, in addition to the officially designated MAJCOMs.

**Mobilization**--The augmentation of existing military forces by the federalization of National Guard units, activation of Reserve units, call-up of individual Reservists, or increased Selective Service induction to meet force levels approved by the Secretary of Defense.

**National Capital Region (NCR)**--For purposes of this handbook only, a region encompassing the District of Columbia; Montgomery and Prince George's counties in Maryland; Arlington, and Fairfax, counties in Virginia; and the cities of Alexandria, Fairfax, and Falls Church in Virginia.

**Nearby Representative Private Community**--The nearest community that offers a rental housing market and the minimal services (if establishing comparability). (EXCEPTION: In Alaska, the community is limited to Anchorage, Fairbanks, and Juneau.) It must not be unreasonably affected by seasonal agriculture or tourism, population explosion, severe economic depression, or an inequitable rent structure not shared by the general region in which the rental quarters are located. "Representative" implies that comparability in housing includes consideration such as the economic environment of the housing. For example, housing in a small government reservation should not be directly compared with housing adjacent to undesirable areas in a large city. Comparable housing should be selected as near as possible to establish a rental rate that truly represents the quarters' "reasonable value" to the occupant.

**Nonappropriated Fund.** Funds generated by DOD military and civilian personnel and their dependents and used to augment funds appropriated by the Congress to provide a comprehensive, morale-building welfare, religious, educational, and recreational program, designed to improve the well-being of military and civilian personnel and their dependents.

**Nonindustrial Facility**--A unit of real property (other than DOD real property), including improvements, not used or suitable for:

- Production or maintenance of materials, munitions, equipment, supplies, goods, and other products for military or civilian use.
- Research.
- Ocean terminals.

Nonindustrial facilities include hotels; motels; resort facilities; educational institutions; hospitals; office buildings; and other real property that can be used for military purposes.

**Not Being Put to Optimum Use**--Property or part of a property whose nature, value, or location is such that it could be put to a significantly better purpose, also includes properties with occupancy costs that substantially exceed those of other properties available through transfer, purchase, or leases, and that are suitable for the purpose. When computing total net savings to the government, consider property values as well as costs of moving, occupancy, operation efficiency, environmental effects, regional planning, and employee morale.

**Not Used**--Any property or portion of a property that is not occupied for current program purposes, or is occupied in caretaker status only (such properties will be considered for shelters for the homeless according to the policy used in AFI 32-9003).

**Offbase Installation**--An installation without an aircraft operating area that provides operational,

training, administrative, or logistical support to a primary, auxiliary, or detached installation and depends on that installation for other support. An installation that is separated only by a road, fence or other segregating construction is not considered an offbase installation.

**Offer of Gift (Donation)**--Voluntary offer to transfer or convey to the government an interest in real property without payment or consideration of any kind by the government (AFI 51-601).

**Option to Purchase**--A contract whereby the owner of the real property gives the government the right to acquire an interest in the property at a stated price during a specified period of time. An offer to sell property, unsupported by any consideration, is not considered an option, and it may be withdrawn at anytime (10 U.S.C. 2677).

**Outgrants**--Documents such as leases, licenses, easements, joint-use agreements, and other agreements (including use agreements) under which the government's interest in, or control of, real property, as exercised through the Department of the Air Force, is modified by conferring rights therein to another government agency, nonfederal entity (such as a state or local government), or a private party (for such use as grazing livestock). (See AFI 32-9003.)

**Permit**--A nonpossessory right of exclusive or nonexclusive use of real property. When granted to a party other than a federal agency, it generally covers a one-time use and is called a "license." However, the term also is used to describe an authorization to use property under the jurisdiction of one government agency by another for a definite period. These two uses of the term must not be confused.

**Primary Installation**--A self-supporting installation, with or without an aircraft operating area, that has facilities for administrative and operating activities to carry out a given mission. For recording and reporting real property, this is normally the parent or control installation.

**Professional Contract Appraiser**--A private citizen, preferably a resident of the area, who has at least the minimum qualifications of appraiser grades GS-11 through GS-15, as set forth in Office of Personnel Management (OPM) Standards, occupational series 1171.

**Professional Staff Appraiser**--An employee of a particular Department of Defense component or a Federal Government agency who meets the same minimum qualifications as the professional contract appraiser.

**Programmed Installation**--An installation for which the Air Force does not have real property jurisdiction, control, or accountability, but an Air Force organization occupies or programs for use. The JCS assign such installations their programmed installation indicators.

**Project**--As related to real estate acquisition activities, a project is a real property acquisition action, or related actions, at an Air Force installation to fulfill a known requirement. Related real property actions that constitute a complete project are processed simultaneously. (For example: The acquisition of land for an ammunition storage project usually involves the acquisition of fee ownership for the land area used to construct storage facilities and restrictive easements over an adjacent safety area.)

**Public Body**--Any state, territory, or possession of the United States; also, any political subdivision, agency, or instrumentality of these (including the District of Columbia).

**Public Domain**--Land originally acquired by the United States from foreign governments, and which

has never left United States ownership. It is administered by the Department of the Interior.

**Public Lands**--Any land and interest in land owned by the United States within the states and administered by the Secretary of the Interior through the Bureau of Land Management without regard as to how the United States acquired ownership. The term excludes:

Lands located on the outer Continental Shelf.

Lands held for the benefit of Indians, Aleuts, and Eskimos (43 U.S.C. 1702 (e)). (See "Withdrawn Land.")

**Real Estate**-- See "Real Property."

**Real Estate Directive**--A request to another federal agency (e.g., Office of the Chief of Engineers, US Army Corps of Engineers, Department of the Army or Naval Facilities Engineering Command, Department of the Navy or Bureau of Land Management, US Department of the Interior, etc.) to act on a real estate matter on behalf of the Air Force.

**Real Property**--Lands, buildings, structures, utilities systems, improvements, and appurtenances thereto. Includes equipment attached to and made part of buildings and structures (such as heating systems), but not movable equipment (such as plant equipment).

**Real Property Accountable Officer**--The individual (military or civilian) that the base commander appoints to maintain real property accountable records.

**Real Property Facility**--A building, structure, or other real property improvement.

**Real Property Installed Equipment (RPIE)**--Those items of government-owned or leased accessory equipment, apparatus and fixtures that are essential to the function of the real property and are permanently attached to, integrated into, or on government-owned or leased property. Excluded is organization or collateral equipment reflected in the equipment authorization inventory data (EAID), as shown in AFM 67-1, volume IV. Also excluded are other technical, medical, commissary, aircraft installed, fixed laundry and dry cleaning, MARS, cryptographic, automatic data processing, rental equipment, research and development, communications equipment.

**Real Property Requirement**--A valid military need for real property to support authorized forces as documented in the PD. In determining need, consider the purpose to be served, the problem to be solved, and the end to be achieved. A requirement does not necessarily identify or describe the needed property; it states why the property is needed and how the property is to be used.

**Reasonable Value**--The value (fair market rental value) determined by applying the basic rent principle, or the principle as modified by allowable adjustments.

**Release**--See CERCLA, 42 U.S.C. 9601 (22).

**Remaining Economic Life**--The value to the government in terms of time. (Such value ceases when the property becomes unsuitable or uneconomical for its designed use because of depreciation or obsolescence.)

**Rent, Nominal**--A rental consideration of a token amount in money or services. Generally, it involves a

rental payment of \$1.00 per year. Nominal rental also means a consideration completely unrelated to the actual or fair market value of the leased property.

**Rental Quarters** -Except as specifically excluded herein or by statute, the term "Rental Quarters" includes all furnished and unfurnished quarters supplied under specific Government authority to Government employees, contractors, contractor employees, and all other persons to whom housing is provided as an incidental service in support of Government programs. It includes, but is not limited to, Government-owned or leased single family dwellings, apartments, bunkhouses, dormitories, trailer pads, cabins, guard stations and lookouts, mobile homes, house trailers, permanent and semipermanent tents, and housekeeping as well as nonhousekeeping units. It also includes housing facilities designated as substandard family housing quarters. The term excludes:

Public quarters assigned to members of the uniformed services instead of a BAQ or VHA, or to quarters assigned US citizen civilian employees in foreign countries occupying rent free space, in lieu of their LQA.

Available quarters for occupancy to personnel involving forfeiture of a portion of per diem travel allowance.

Parking facilities, including utility connections, provided to members of the Uniformed Services for house trailers and mobile homes not owned by the Government.

Temporary lodging facilities (TLF) operated on the basis of nonappropriated funds for purposes of welfare or recreation.

**Restrictive Safety Easement**--The right to restrict the erection of habitable buildings, the congregation of people, or other activities within a specified safety clearance distance of munitions storage areas, armed aircraft, and explosives related facilities (see AFI 32-9001 and Chapter 1 of this handbook).

**Retrocession**--The act of giving back to a state all or part of the federal legislative jurisdiction formerly enjoyed by the government.

**Right of Entry**--The temporary right to enter on real property for a specified purpose without acquiring any estate or interest in it. An example is for starting construction pending issuance of a lease or license.

**Right-of-Way Easement**--The right to pass over the land of another for a specific purpose. Such use could be for constructing a road, installing pipelines, pole lines, or telephone cables, and

**Safety Restrictive Easement**--An estate in land conveying to the holder certain rights specified in the individual instrument, pertaining to safety in areas surrounding explosive storage facilities, ammo bunkers, etc., designed to provide protection from explosion hazards, or to prohibit certain surface uses i.e., human habitation (dwellings), or structures for human occupancy (e.g. commercial, office, industrial, warehouse buildings), or congregation of large numbers of people. See AFMAN 91-201, **Explosive Safety Standards**.

**SAF/MII**--The Deputy Assistant Secretary of the Air Force (Installations), or a person in his or her office authorized to act in his or her place.

**Salables**--US-owned (natural resources) materials, composed of embedded gravel, sand, stone and underground water. (Title 30, U.S.C. 601 et seq. and 41 CFR 101-47.302-2(a)(3)).

**Screening**--Circulating a notice of availability of real property to determine whether it is required by another federal activity.

**Seismic Testing--**A procedure to gather evidence on the potential for oil and gas reservoirs by charting sound waves into the earth and back to the surface.

**Service Contract--**A contract for nonpersonal services, executed under the Armed Services Procurement Act of 1947, where the contracting party agrees to perform some service for the Air Force and the Air Force agrees to pay for such service. In performing the service, the contractor may use real property in which he or she has an interest, even to the extent of permitting the Air Force to go on the property in a nonexclusive manner.

**Shelter Rent--**Shelter and the value of all public services, except nonappropriated fund services, utilities and related services, and telephone service.

**Site Restoration--**Returning the land to a condition in which it is usable for some further purpose without special additional preparation; this includes removing unnecessary sidewalks, withdrawing surface foundations, filling excavations, mitigating hazardous substance contamination, and reseeding or resodding the affected ground area.

**Special Purpose Space--**Space in buildings under the control of GSA, including land incidental to use thereof, that is fully or predominantly used for special purposes of an agency having custody of such space and generally not suitable for use by other agencies. Examples of such special purpose space include computer centers, hospitals, laboratories, mints, penal institutions, and Air Force Recruiting Offices (AFROs)

**Subordination Agreement--**An agreement whereby the owner of an interest in real estate (including subsurface oil, gas, and mineral rights) agrees to suspend or limit the exercise of all or part of his or her ownership rights under specific terms and conditions (usually to avoid interference with governmental use of the surface or when incompatible with military operations).

**Substitute Real Property--**Property that can serve or is economically suited to the use of the property it replaces. (When determining the practicality of substituting real property, consider value, suitability, cost of operation and maintenance, and physical condition.)

**Surplus Real Property--**Real property, initially reported as "excess" to Department of Defense requirements, which has been screened by the GSA through all federal agencies, with negative results, and officially determined not needed by the federal government.

**Survey Team--**Any team organized to identify unneeded Air Force real property holdings.

**Suspension Agreement--**Suspension by lease of an individual's grazing or mineral rights in public land or state-owned lands.

**Temporary Changed Use--**A change in the use of a facility or part of a facility, for three years or less. Modifications must be clearly reversible to previous configuration.

**Transfer--**As used in this handbook, a real estate action which changes the custody and control of real property and its related personal property from one Air Force activity to another, or to another military department or federal agency.

***Transient Quarters***--Quarters occupied by personnel in a travel status, normally for 90 calendar days or less. The term includes visiting officer quarters (VOQ), visiting airman quarters (VAQ), temporary lodging facilities (TLF), and aerial port facilities (APF).

***Underutilized***--Any entire property or part of a property which is used only for irregular periods or intermittently for current program purposes or whose use for current program purposes can be satisfied with only a portion of the property.

***Uniformed Services***--The Army, Navy, Air Force, Marine Corps, Coast Guard, National Oceanic and Atmospheric Administration, and Public Health Service.

***Unmetered and Unmeasured Utilities***--Utilities whose consumption is not measured by means of a metering device.

***Urban Centers***--These are the cities and Standard Metropolitan Statistical Areas listed in attachment 5. General Services Administration is the sole leasing authority for obtaining "general purpose" space in these areas.

***Utilities and Related Services***--Electric power; steam; compressed air; water, sewage and garbage disposal; trash collection; natural, manufactured, or mixed gas; ice and mechanical refrigeration, when furnished by the government. (Telephone service is not included.)

***Variable Housing Allowance (VHA)***--An allowance paid to a person or persons living in a high-cost area.

***Wetlands***--Areas that are inundated by surface or ground water with a frequency sufficient to support, and under normal circumstances do or would support, a prevalence of vegetative or aquatic life that requires saturated or seasonally saturated soil conditions for growth and reproduction. Wetlands generally include swamps, marshes, bogs, and similar areas such as mud flats, natural ponds, potholes, river overflows, sloughs, and wet meadows. Wetlands may be, but are not necessarily, located in flood plains. See AFI 32-7064.

***Withdrawn Land***--Public domain land that has been set aside or designated by BLM for a specific public purpose, such as a national park, wildlife refuge, or national defense use. Withdrawal of public lands generally has the effect of segregating such land from lease, sale, settlement, or other dispositions under the public land laws (43 U.S.C. 1702(j)).

**Attachment 2****REQUIRED LAND ENCUMBRANCES-EXPANDED CLEAR ZONE (ECZ) EASEMENT ESTATE**

A2.1. A perpetual and assignable easement required by the government, within the land area, that comprises the ECZ for the establishment, maintenance, and operation of a restrictive use area for the operation of aircraft to and from the base that has the rights to:

A2.1.1. Make low and frequent flights over the ECZ and to generate noises associated with:

A2.1.1.1. Aircraft in flight, whether or not while directly over the ECZ.

A2.1.1.2. Aircraft and aircraft engines operating on the ground at said base.

A2.1.1.3. Aircraft engine test-stand operations at said base.

A2.1.2. Regulate or prohibit the release into the air of any substance that would impair the visibility or otherwise interfere with the operations of aircraft, such as, but not limited to, dust, steam, or smoke.

A2.1.3. Regulate or prohibit light emissions, either direct or indirect (reflective), that might interfere with pilot vision.

A2.1.4. Prohibit electrical emissions that would interfere with aircraft and Air Force communications systems or aircraft navigational equipment.

A2.1.5. Prohibit and remove any buildings or other structures that are nonfrangible.

A2.1.6. Top, cut to ground level, and remove trees, shrubs, brush, or other forms of obstruction that the base commander determines might interfere with operating aircraft, including emergency landings.

A2.1.7. Ingress and egress on, over, and across the ECZ for the purpose of exercising the rights in this attachment.

A2.1.8. Post signs on the land indicating the nature and extent of Air Force control of the ECZ.

A2.1.9. Prohibit all land uses other than:

A2.1.9.1. Agriculture.

A2.1.9.2. Grazing (excluding feed lots and dairy herds).

A2.1.9.3. Permanent open space.

A2.1.9.4. Existing water areas.

A2.1.9.5. Rights-of-way for fenced two-lane highways, without sidewalks or bicycle trails, and single track railroads.

A2.1.9.6. Communications and utilities rights-of-way.

A2.1.10. Prevent entry of persons onto the land except in connection with activities authorized in agriculture, grazing, rights-of-way for fenced two-lane highways, without sidewalks or bicycle trails, and single track railroads, and communications and utilities rights-of-way, subject to existing easements for public roads and highways, public utilities, railroads and pipelines; reserving, however, to the landowners, heirs, and assigns, all such rights and privileges as may be used without interfering with or abridging the rights in the easement acquired.

## Attachment 3

## GSA REGIONAL OFFICES

GSA Region Area Served		Mailing Address
2	NY, NJ, CT, ME, MA, NH, VT, RI, Puerto Rico, and U. S. Virgin Islands	GSA, PBS DIRECTOR, REAL ESTATE DIVISION, 2 PE 26 FEDERAL PLAZA NEW YORK, NEW YORK 10278
3	DE, MD, PA, VA, WV ( <b>Note:</b> DC and its suburbs excluded)	GSA, PBS DIRECTOR, REAL ESTATE DIVISION, 3PE 100 PENN SQUARE EAST PHILADELPHIA, PA 19107
4	AL, FL, GA, KY, MS, NC, SC, TN	GSA, PBS DIRECTOR, REAL ESTATE DIVISION, 4PE 401 WEST PEACHTREE STREET, NW SUITE 2800 ATLANTA, GA 30365
5	IL, IN, MI, OH, MN, WI	GSA, PBS DIRECTOR, REAL ESTATE DIVISION, 5PE 230 S. DEARBORN STREET CHICAGO, IL 60604
6	IA, KS, MO, NE	GSA, PBS DIRECTOR, REAL ESTATE DIVISION, 6PE 1500 E. BANNISTER ROAD KANSAS CITY, MO 64131-3088
7	AR, LA, OK, TX, NM	GSA, PBS DIRECTOR, REAL ESTATE DIVISION, 7PE 819 TAYLOR STREET FORT WORTH, TX 76102
8	CO, MT, ND, SD, UT, WY	GSA, PBS DIRECTOR, REAL ESTATE DIVISION, 8PE BLDG. 41, DENVER FED CTR WEST 6TH AVENUE & KIPLING ST POST OFFICE BOX 25006 DENVER, CO 80225-0006
9	AZ, CA, HI, NV, AND GUAM TRUST TERRITORY OF THE PACIFIC	GSA, PBS DIRECTOR, REAL ESTATE DIVISION, 9PE 525 MARKET STREET SAN FRANCISCO, CA 94105
10	AK, ID, OR, WA	GSA, PBS DIRECTOR, REAL ESTATE DIVISION, 10 PE 400 15TH STREET, SW

		AUBURN, WA 98001
	<b>National Capital DC and MD Counties of:</b> Montgomery & Prince George's, <b>VA Counties of:</b> Arlington, Fairfax, <b>VA cities of:</b> Alexandria, Fairfax, & Falls Church	GSA, PBS DIRECTOR, REAL ESTATE DIVISION, WPE 7th and D STREETS, SW WASHINGTON, DC 20407

**Attachment 4**

**DIRECTORY OF FEMA REGIONAL OFFICES**

**FEMA Regional Office**

FEMA Region I  
442 J. W. McCormak  
Post Office and Court House, Room 442  
Commercial (617) 223-9540

FEMA Region II  
26 Federal Plaza, Room 1337  
New York, NY 10278-0002  
Commercial (212) 225-7208

FEMA Region III  
Liberty Square (Second Floor)  
105 S. Seventh Street  
Philadelphia, PA 19106-3316  
Commercial (215) 931-5608

FEMA Region IV  
Gulf Oil Building, Suite 664  
1371 Peachtree Street, NE, Suite 700  
Atlanta, GA 30309-3108  
Commercial (404) 853-4200

FEMA Region V

**Associated Geographical Areas**

Connecticut  
Maine  
Massachusetts  
Rhode Island  
Vermont

New York  
New Jersey  
Puerto Rico  
Virgin Islands

Delaware  
District of Columbia  
Maryland  
Pennsylvania  
Virginia  
West Virginia

Alabama  
Florida  
Georgia  
Kentucky  
North Carolina  
Mississippi  
South Carolina  
Tennessee

Illinois

175 W. Jackson Blvd (Fourth Floor)  
Chicago, IL 60604-2698  
Commercial (312) 408-5501

Indiana  
Michigan  
Minnesota  
Ohio  
Wisconsin

FEMA Region VI  
Federal Regional Center  
800 N. Loop 288, Room 106  
Denton, TX 76201-3698  
Commercial (817) 898-5104

Arkansas  
Louisiana  
New Mexico  
Oklahoma  
Texas

FEMA Region VII  
Old Federal Office Building  
911 Walnut Street, Room 200  
Kansas City, MO 64106-2085  
Commercial (816) 283-7061

Iowa  
Kansas  
Missouri  
Nebraska

FEMA Region VII  
Federal Regional Center  
Denver Federal Center  
Building 710  
Box 25267  
Denver, CO 80225-0006  
Commercial (303) 235-4812

Colorado  
Montana  
North Dakota  
South Dakota  
Utah  
  
Wyoming

FEMA Region IX  
Building 105  
Presidio of San Francisco, CA 94129  
Commercial (415) 923-7100

American Samoa  
Arizona  
California  
Hawaii  
Nevada  
Guam  
Commonwealth of the Northern  
Mariana Islands

Republic of Palau

FEMA Region X

Federal Regional Center

130 228th Street, SW

Bothell, WA 98021-9796

Commercial (206) 487-46041 (Check#)

Alaska

Idaho

Oregon

Washington

Caribbean Area Office

Caribbean Area Office Manager

Federal Emergency Management Agency

P.O. Box 70105

San Juan, Puerto Rico 00936

Commercial (809) 729-6881/6907

**Attachment 5****GSA JURISDICTION FOR GENERAL PURPOSE SPACE****Urban Centers in Which the General Service Administration is the Sole Authorized Leasing Agency for "General Purpose" Space**

Aberdeen, SD:  
Brown County

Abilene, TX:  
Jones County  
Taylor County

Akron, OH:  
Portage County  
Summit County

Alaska:  
The Entire State

Albany, GA:  
Dougherty County

Albany, IL:  
Whiteside County

Albany, OR:  
Linn County

Albany-Schenectady-Troy, NY:  
Albany County  
Rensselaer County  
Saratoga County  
Schenectady County

Albuquerque, NM  
Bernalillo County

Alexandria, LA  
Rapides Parish

Allentown-Bethlehem-Easton, PA-NJ  
Lehigh County, PA  
Northampton County, PA  
Warren County, NJ

Altoona, PA:  
Blair County

Amarillo, TX:  
Potter County  
Randall County

Anaheim-Santa Ana-Garden Grove CA:  
Orange County

Ann Arbor, MI  
Washtenaw County

Asheville, NC:  
Buncombe County

Athens, GA:  
Clarke County

Atlanta, GA:  
Clayton County  
Cobb County  
De Kalb County  
Fulton County  
Gwinnett County

Atlantic City, NJ  
Atlantic County

Augusta, GA, SC:  
Richmond County, GA  
Aiken County, SC

Augusta, ME:  
Kennebec County

Austin, TX:  
Travis County

Bakersfield, CA:  
Kern County

Baltimore, MD:  
Baltimore City  
Anne Arundel County  
Baltimore County  
Carroll County  
Howard County

Baton Rouge, LA:  
East Baton Rouge Parish

Battle Creek, MI:  
Calhoun County

Bay City, MI:  
Bay County

Beaumont-Port Arthur, TX:  
Jefferson County  
Orange County

Billings, MT:  
Yellowstone County

Binghamton, NY-PA:  
Broome County, NY  
Tioga County, NY  
Susquehanna County, PA

Birmingham, AL:  
Jefferson County

Bismarck, ND:  
Burleigh County

Boise, ID:  
Ada County

Boston, MA:  
Essex County  
Middlesex County  
Norfolk County  
Plymouth County  
Suffolk County

Bridgeport, CT:  
Fairfield County  
New Haven County

Brockton, MA:  
Bristol County  
Norfolk County  
Plymouth County

Brownsville-Harlingen-San Benito, TX  
Cameron County

Buffalo, NY:  
Erie County  
Niagara County

Burlington, VT:  
Chittenden County

Butte, MT:  
Silver Bow County

Calexico-El Centro, CA:  
Imperial County

Canton, OH:  
Stark County

Casper, WY:  
Narrona County

Cedar Rapids, IO:  
Linn County

Champaign-Urbana, IL:  
Champaign County

Charleston, WV:  
Kanawha County

Charlotte, NC:  
Mecklenburg County  
Union County

Charlottesville, VA:  
Charlottesville City  
Albemarle County

Chattanooga, TN-GA:  
Hamilton County, TN  
Walker County, GA

Cheyenne, WY:  
Laramie County

Chicago, IL:  
Cook County  
Du Page County  
Kane County

Lake County  
Mc Henry County  
Will County

Cincinnati, OH-KY-IN:  
Clermont County, OH  
Hamilton County, OH  
Warren County, OH  
Boone County, KY  
Campbell County, KY  
Kenton County, KY  
Dearborn County, IN

Cleveland, OH:  
Cuyahoga County  
Geauga County  
Lake County  
Medina County

Clinton, OK:  
Custer County

Cody, WY:  
Park County

Colorado Springs, CO:  
El Paso County

Columbia, MO:  
Boone County

Columbia, SC:  
Lexington County  
Richland County

Columbus, GA-AL:  
Chattahoochee County, GA  
Muscogee County, GA  
Russell County, AL

Columbus, OH:  
Delaware County  
Franklin County  
Pickaway County

Concord, NH:  
Merrimack County

Corpus Christi, TX:

Nueces County

Dallas, TX:

Collin County

Dallas County

Denton County

Ellis County

Davenport-Rock Island-Moline, IA-IL:

Scott County, IO

Henry County, IL

Rock Island County, IL

Dayton, OH:

Greene County

Miami County

Montgomery County

Preble County

Decatur, IL:

Macon County

Denver, CO:

Adams County

Arapahoe County

Boulder County

Denver County

Jefferson County

Des Moines, IA:

Polk County

Detroit, MI:

Macomb County

Oakland County

Wayne County

Dubuque, IA

Dubuque County

Duluth-Superior, MN-WI:

St. Louis County, MN

Douglas County, WI

Durango, CO:

La Plata County

Durham, NC:

Curham County

Elkins, WV:  
Randolph County

El Paso, TX:  
El Paso County

Erie, PA:  
Erie County

Eugene, OR:  
Lane County

Evansville, IN-KY:  
Vanderburgh County, IN  
Warrick County, IN  
Henderson County, KY

Fall River, MA-RI:  
Bristol County, MA  
Newport County, RI

Fargo-Moorehead, ND-MN:  
Cass County, ND  
Clay County, MN

Fayetteville, NC:  
Cumberland County

Fitchburg-Leominster, MA:  
Middlesex County  
Worcester County

Flint, MI:  
Genesse County  
Lapeer County

Fort Collins, CO:  
Larimer County

Fort Lauderdale-Hollywood, FL:  
Broward County

Fort Smith, AR-OK:  
Carwford County, AR  
Sebastian County, AR  
Le Flore County, OK  
Sequoyah County, OK

Fort Wayne, IN  
Allen County

Forth Worth, TX:  
Johnson County  
Tarrant County

Frankfort, KY:  
Franklin County

Fresno CA:  
Fresno County

Gadsden, AL:  
Etowah County

Gainesville, FL:  
Alachua County

Galveston-Texas City, TX:  
Galveston County

Gary-Hammond-East Chicago, IN:  
Lake County  
Porter County

Grand Forks, ND:  
Grand Forks County

Grand Island, NE:  
Hall County

Grand Junction, CO:  
Mesa County

Grand Rapids, MI:  
Kent County  
Ottawa County

Great Falls, MT:  
Cascade County

Greeley, CO:  
Weld County

Green Bay, WI:  
Brown County

Greensboro-High Point, NC:  
Guilford County

Greenville, SC:  
Greenville County  
Pickens County

Greenwood, MS:  
La Flore County

Hamilton-Middletown, OH:  
Butler County

Harrisburg, PA:  
Cumberland County  
Dauphin County  
Perry County

Hartford CT:  
Hartford County  
Middlesex County  
Tolland County

Hawaii:  
The Entire State

Helena, MT:  
Lewis and Clark County

Hot Springs, AR:  
Garland County

Houston, TX:  
Harris County

Huntington-Ashland, WV-KY-OH:  
Cabell County, WV  
Wayne County, WV  
Boyd County, KY  
Lawrence County, OH

Huntsville, AL:  
Limestone County  
Madison County

Huron, SD:  
Beadle County

Idaho Falls, ID:  
Bonneville County

Indianapolis, IN:  
Hamilton County  
Hancock County  
Hendricks County  
Johnson County  
Marion County  
Morgan County  
Shelby County

Jackson, MI:  
Jackson County

Jackson, MS:  
Hinds County  
Rankin County

Jackson TN:  
Madison County

Jacksonville, FL:  
Duval County

Jefferson City, MO:  
Cole County

Jersey City, NJ:  
Hudson County

Johnstown, PA:  
Cambria County  
Somerset County

Kalamazoo, MI:  
Kalamazoo County

Kansas City, MO-KS:  
Cass County, MO  
Clay County, MO  
Jackson County, MO  
Platte County, MO  
Johnson County, KS  
Wyandotte County, KS

Kenosha, WI:  
Kenosha County

Klamath Falls, OR:  
Klamath County

Knoxville, TN:  
Anderson County  
Blount County  
Knox County

Lafayette, LA:  
Lafayette Parish

Lake Charles, LA:  
Calcasieu Parish

Lancaster, PA:  
Lancaster County

Lansing, MI:  
Clinton County  
Easton County  
Ingham County

Laredo, TX:  
Webb County

Las Vegas, NV:  
Clark County

Lawrence-Haverhill, MA-NH:  
Essex County, MA  
Rockingham County, NH

Lawton, OK:  
Comanche County

Lewiston-Auburn, ME:  
Androscoggin County

Lexington, KY:  
Fayette County

Lima, OH:  
Allen County

Lincoln, NE:  
Lancaster County

Little Rock-North Little Rock, AR:

Pulaski County

Logan, UT:  
Cache County

Lorain-Elyria, OH:  
Lorain County

Los Angeles-Long Beach, CA:  
Los Angeles-County

Louisville, KY-IN:  
Jefferson County, KY  
Clark County, IN  
Floyd County, IN

Lowell, MA:  
Middlesex County

Lubbock, TX:  
Lubbock County

Lynchburg, VA:  
Lynchburg City  
Amherst County  
Campbell County

Macon, GA:  
Bibb County  
Houston County

Madison, WI  
Dane County

Manchester, NH:  
Hillsborough County  
Merrimack County

Manhattan, KS:  
Riley County

McCook, NE:  
Red Willow County

Medford, OR:  
Jackson County

Memphis, TN-AR:

Shelby County, TN  
Crittenden County, AR

Meriden, CT:  
New Haven County

Meridian, MS:  
Lauderdale County

Miami, FL:  
Dade County

Midland, TX:  
Midland County

Milwaukee, WI:  
Milwaukee County  
Ozaukee County  
Waukesha County

Minneapolis-St. Paul, MN:  
Anoka County  
Dakota County  
Hennepin County  
Ramsey County  
Washington County

Missoula, MT:  
Missoula County

Mobile, AL:  
Baldwin County  
Mobile County

Monroe, LA:  
Ouachita Parish

Montgomery, AL:  
Elmore County  
Montgomery County

Morgantown, WV:  
Monongalia County

Muncie, IN:  
Delaware County

Muskegon-Muskegon Heights, MI:  
Muskegon County

Muskogee, OK:  
Muskogee County

Nashville, TN:  
Davidson County  
Sumner County  
Wilson County

Newark, NJ:  
Essex County  
Morris County  
Union County

New Bedford, MA:  
Bristol County  
Plymouth County

New Britain, CT:  
Hartford County

New Haven, CT:  
New Haven County

New London-Groton-Norwich, CT:  
New London County

New Orleans, LA:  
Jefferson Parish  
Orleans Parish  
St. Bernard Parish  
St. Tammany Parish

Newport News-Hampton, VA:  
Hampton City  
Newport News City  
York County

New York, NY  
Bronx County  
Kings County  
New York County  
Queens County  
Richmond County  
Nassau County  
Rockland County  
Suffolk County  
Westchester County

## Norfolk-Portsmouth, VA:

- Chesapeake City
- Norfolk City
- Portsmouth City
- Virginia Beach City

## Norwalk, CT:

- Fairfield County

## Odessa, TX:

- Ector County

## Ogden, UT:

- Weber County

## Oklahoma City, OK:

- Canadian County
- Cleveland County
- Oklahoma County

## Olympia, WA:

- Thurston County

## Omaha, NE-IA:

- Douglas County, NE
- Sarpy County, NE
- Pottawattamie County, IA

## Orlando, FL:

- Orange County
- Seminole County

## Parkersburg, WV:

- Wood County

## Paterson-Clifton-Passaic, NJ:

- Bergen County
- Passaic County

## Pensacola, FL:

- Escambia County
- Santa Rosa County

## Peoria, IL:

- Peoria County
- Tazewell County
- Woodford County

Philadelphia, PA-NJ:

Bucks County, PA  
Chester County, PA  
Delaware County, PA  
Montgomery County, PA  
Philadelphia County, PA  
Burlington County, PA  
Camden County, NJ  
Gloucester County, NJ

Phoenix, AZ:

Maricopa County

Pierre, SD:

Hughes County

Pittsburgh, PA:

Allegheny County  
Beaver County  
Washington County  
Westmoreland County

Pittsfield, MA:

Berkshire County

Portland, ME:

Cumberland County

Portland, OR-WA:

Clackamas County, OR  
Multnomah County, OR  
Washington County, OR  
Clark County, WA

Portsmouth, NH:

Rockingham County

Providence-Pawtucket-Warwick, RI-MA:

Bristol County, RI  
Kenty County, RI  
Newport County, RI  
Providence County, RI  
Washington County, RI  
Bristol County, MA  
Norfolk County, MA  
Worcester County, MA

Provo-Orem, UT:

Utah County

Pueblo, CO:  
Pueblo County

Puerto Rico:  
The Entire Commonwealth

Racine, WI:  
Racine County

Raleigh, NC:  
Wake County

Rapid City, SD:  
Pennington County

Reading, PA:  
Berks County

Reno, NV:  
Washoe County

Richmond, VA:  
Richmond City  
Chesterfield County  
Hanover County  
Henrico County

Roanoke, VA:  
Roanoke City  
Roanoke County

Rochester, NY:  
Livingston County  
Monroe County  
Orleans County  
Wayne County

Rockford, IL:  
Boone County  
Winnebago County

Rolla, MO:  
Phelps County

Rome, GA:  
Floyd County

Sacramento, CA:  
Placer County  
Sacramento County  
Yolo County

Saginaw, MI:  
Saginaw County

St Albans, VT:  
Franklin County

St. Joseph MO:  
Buchanan County

St. Louis MO-IL:  
St. Louis City, MO  
Jefferson County, MO  
St. Charles County, MO  
St. Louis County, MO  
Madison County, IL  
St. Clair County, IL

Salem, OR:  
Marion County  
Polk County

Salina, KS:  
Saline County

Salisbury, MD:  
Wicomico County

Salt Lake City, UT:  
Davis County  
Salt Lake County

San Angelo, TX:  
Tom Green County

San Antonio, TX:  
Bexar County  
Guadalupe County

San Bernardino-Riverside-Ontario, CA:  
Riverside County  
San Bernardino County

San Diego, CA:

San Diego County

San Francisco-Oakland, CA:

Alameda County  
Contra Costa County  
Marin County  
San Francisco County  
San Mateo County

San Jose, CA:

Santa Clara County

Santa Barbara, CA:

Santa Barbara County

Santa Fe, NM:

Santa Fe County

Savannah, GA:

Chatham County

Scottsbluff, NE:

Scotts Bluff County

Scranton, PA:

Lackawanna County

Seattle-Everett, WA:

King County  
Snohomish County

Sheridan, WY:

Sheridan County

Shreveport, LA:

Bossier Parish  
Caddo Parish

Sioux City, IA-NE:

Woodbury County, IA  
Dakota County, NE

Sioux Falls, SD:

Minnehaha County

South Bend, IN:

St. Joseph County  
Marshall County

Spartanburg, SC:  
Spartanburg County

Spokane, WA:  
Spokane County

Springfield-Chicopee-Holyoke, MA:  
Hampden County  
Hampshire County  
Worcester County

Springfield, IL:  
Sangamon County

Springfield, MO:  
Greene County

Springfield, OH:  
Clark County

Stamford, CT:  
Fairfield County

Steubenville-Weirton, OH-WV:  
Jefferson County, OH  
Brooke County, WV  
Hancock County, WV

Stillwater, OK:  
Payne County

Stockton, CA:  
San Joaquin County

Syracuse, NY:  
Madison County  
Onondaga County  
Oswego County

Tacoma, WA:  
Pierce County

Tallahassee, FL:  
Leon County

Tampa-St. Petersburg, FL:  
Hillsborough County  
Pinellas County

Temple, TX:  
Bell County

Terre Haute, IN:  
Clay County  
Sullivan County  
Vermillion County  
Vigo County

Texarkana, TX-AR:  
Bowie County, TX  
Miller County, AR

Toledo, OH-MI:  
Lucas County, OH  
Wood County, OH  
Monroe County, MI

Topeka, KS:  
Shawnee County

Trenton, NJ:  
Mercer County

Tucson, AZ:  
Pima County

Tulsa, OK:  
Creek County  
Osage County  
Tulsa County

Tuscaloosa, AL:  
Tuscaloosa County

Tyler, TX:  
Smith County

Utica-Rome, NY:  
Herkimer County  
Oneida County

Vallejo-Napa, CA:  
Napa County  
Solano County

Vicksburg, MS:  
Warren County

Virgin Islands:  
The Entire Territory

Waco, TX:  
McLennan County

Walla Walla, WA:  
Walla Walla County  
Benton County

Washington, DC-MD-VA:  
District of Columbia  
Montgomery County, MD  
Prince Georges County, MD  
Alexandria City, VA  
Fairfax City, VA  
Falls Church City, VA  
Arlington County, VA  
Fairfax County, VA

Waterbury, CT:  
Litchfield County  
New Haven County

Waterloo, IA:  
Black Hawk County

Wenatchee, WA:  
Chelan County

West Palm Beach, FL:  
Palm Beach County

Wheeling, WV-OH:  
Marshall County, WV  
Ohio County, WV  
Belmont County, OH

Wichita, KS:  
Butler County  
Sedgwick County

Wichita Falls, TX:  
Archer County  
Wichita County

Wilkes Barre-Hazleton, PA:

Luzerne County

Wilmington, DE-NJ-MD:  
New Castle County, DE  
Salem County, NJ  
Cecil County, MD

Wilmington, NC:  
New Hanover County

Winston-Salem, NC  
Forsyth County

Worcester, MA:  
Worcester County

Yakima, WA:  
Yakima County

York, PA:  
Adams County  
York County

Youngstown-Warren, OH:  
Mahoning County  
Trumbull County

Yuma, AZ:  
Yuma County

**Attachment 6****MISSION/LAND USE BRIEFING OF E.O. 12512 SURVEY TEAM**

A6.1. To begin a land use survey, prepare a comprehensive mission and land use briefing. This briefing familiarizes the survey team with the installation missions and land uses. It sets the stage for follow-up questions and provides a map study, a physical tour of the base, and conclusions. Keep the briefing free of technical jargon and acronyms. The briefing should:

A6.1.1. Describe the current mission of the host and tenant organizations.

A6.1.2. Explain how missions are accomplished.

A6.1.3. Include programmed and publicly announced mission changes.

A6.1.4. Explain how mission changes will affect base land requirements.

A6.1.5. Give a brief history of the base.

A6.1.6. Cite pertinent Real Estate Data (acres owned in fee, public domain, leased, and other interests).

A6.1.7. List major functional land uses

A6.1.8. Indicate whether any land is used by tenants or collectively with other agencies.

A6.1.9. Note any military construction program (MCP) projects.

A6.1.10. Outline local area population and growth patterns.

A6.1.11. Discuss any encroachment of or conflict with base missions.

A6.1.12. State any real estate actions pending resolution.

A6.1.13. Explain the Installation restoration program.

A6.2. For both the installation's real property study and the EO 12512 excess real property survey report, follow this format:

A6.2.1. Purpose. Under this heading state the purpose of the survey/study. For example, "This study or survey of the (name and address of the activity surveyed) was conducted pursuant to provisions of section 2 of Executive Order 12512 and as prescribed by Subpart 101-47.8 of the Federal Property Management Regulations (FPMR). This survey was made to identify, as appropriate, those areas of real property which were found to be not utilized, underutilized, or not being put to optimum use, as defined in FPMR 101-47.801 (a), at this activity."

A6.2.2. Usage.

A6.2.2.1. Land. Following the holding agency's documentation, furnish the number of acres of fee-owned land, easements, and other interests the activity holds in real property. Indicate whether the property is in an urban or rural location and describe surrounding land uses. Estimate area land values.

A6.2.2.2. Outgrants and Ingrants. List all current outgrants and ingrants, including leases, permits, easements, licenses, and agreements granting temporary or long-term use of real property at the activity. With the exception of utility easements, outgranted properties that may have significance due to use, size, or value, should be further described to include land and improvements, purpose, utilization, termination date, and consideration.

A6.2.2.3. Mineral Activity. Describe any mineral development at or near the property site.

A6.2.2.4. History. Provide a brief history of the fee land and other interest in land the activity holds. Indicate by what method the property was acquired, --- such as purchase contract, condemnation, withdrawn Public Domain Land. Mention any prior disposals.

A6.2.2.5. Improvements. List all buildings, structures and improvements, including available utilities. Append to the report an activity map that locates improvements and notes north with an arrow.

A6.2.2.6. Mission or Purpose. State the assigned mission or purpose as defined by the activity.

A6.2.2.7. Number and Type Personnel. Furnish the number of personnel currently assigned to the activity, broken down by civilian and military status.

A6.2.2.8. Requirements. List of the activity's requirements to accomplish the mission at the surveyed property.

A6.2.2.9. Current Use of Property. In describing current use of the property, be specific:

A6.2.2.9.1. Indicate whether current property use serves the designated mission.

A6.2.2.9.2. Define the activity's use of the property in relation to the improvements and land area.

A6.2.2.9.3. In a separate section, describe use by tenants.

A6.2.2.9.4. Indicate whether use is part or full time. If use is part time, define the extent of such use.

A6.2.2.9.5. Note any vacant space in significant buildings.

A6.2.2.9.6. Discuss buffer areas, safety or explosive quantity distances, Air Installation Compatible Use Zones (AICUZ), and other areas relevant to current use.

A6.2.2.10. Prospective Use of the Property. Provide a realistic description of how the property could be used in the future, noting the status of any needed funding. State how long the property has been under consideration for such use.

A6.2.2.11. Relocation Potential. If funds are available to reimburse the holding agency for relocation costs, explain whether the activity could perform its mission at another location using much less valuable property. If relocation is feasible, estimate the cost to relocate. If relocation is not feasible, say so.

A6.2.3. Findings and Recommendations. Use the facts to support each finding or recommendation. When the finding requires relocation of facilities or activities before the property can be excessed, state cost and availability of funding for relocation. Identify the land and improvement areas as follows:

A6.2.3.1. Not Utilized.

A6.2.3.2. Underutilized.

A6.2.3.3. Not Being Put to Optimum Use.

A6.2.4. Recommendations for Excessing:

A6.2.4.1. Put any recommendations for excessing property under findings. Estimate the property's value and what it would cost to excess the property. Describe any excess or use restrictions.

A6.2.4.2. Real Property Management Improvement. Sometimes a property is underutilized but a recommendation for excessing is not indicated. Recommend any improvements that might make better use of the property.

A6.2.5. Certification. Members of the agency's survey team sign the survey report, and the next level of supervision within the agency approves it. The supervisor signs the approval following the statement, "This survey report has been reviewed and approved."

A6.2.6. List the people contacted during the course of the survey giving their addresses and phone numbers.

A6.3. As an appendix to the survey report, include the following:

A6.3.1. A survey map outlining boundaries of real property holdings and identifying land recommended for excess. On the map indicate north with an arrow.

A6.3.2. An activity map identifying existing and planned development and improvements. Give the map a legend and a north arrow.

A6.3.3. A vicinity map identifying major roads, railroads, airports, cities, and towns.

A6.3.4. Color photographs taken during the field inspection that identify various areas discussed, especially areas recommended for excess.

## Attachment 7

## INSTRUCTIONS FOR COMPLETING AF FORM 123

A7.1. Date. Date prepared.

A7.2. Name and Location of Installation. Installation on which facility is located.

A7.3. Command. Abbreviation of command concerned.

A7.4. Station Location Code. Use four-digit installation code.

A7.5. Item 1. Proposed Change in Use:

A7.5.1. **Columns A through E.** Enter data from RCS: HAF-LEE (AR)7115 when requesting changes to multipurpose facilities. Enter the "B" record and each "D" record to be changed. (Enter total record if space allows; otherwise, continue on 8-1/2 by 11-inch bond paper.)

A7.5.2. **Columns F through I.** Enter the category code, nomenclature, and quantities on the proposed change. Enter "B" record if multipurpose. (Enter total record if space allows; otherwise, continue on 8-1/2 by 11-inch bond paper.)

A7.5.3. **Column J.** Enter current condition code. A2.6. Item 2. Facilities Requirements Data:

A7.5.4. **Column A.** For installation use. If the proposed change does not exceed AFI 32-8004 requirements and does not require MAJCOM or HQ USAF approval, entries in columns b through h may be omitted.

A7.5.5. **Column B.** Enter each category code shown in item 1, columns b and f.

A7.5.6. **Column C.** Enter total requirements. (Source AFI 32-8004, PCN SF 100-185, or AF Form 920.)

A7.5.7. **Column D.** Enter current "Total All conditions" for each category code. (Source - PCN SF 100-164.)

A7.5.8. **Column D.** Enter programmed changes, including construction (approved and funded) programmed for disposal during the ensuing fiscal year, or the difference between the two.

A7.5.9. **Column F.** Enter quantities to be added or deleted as a result of this change.

A7.5.10. **Columns G and H.** These columns are the difference between column c and the sums of columns d, e, and f.

A7.5.11. **Columns C, D, E, F, G, and H.** Enter other unit of measure, (Example: 2300 SF, 20 Person = 2300/20.)

A7.6. Item 3. Cost of Proposed Change in Use. Enter all known or estimated costs associated with the change.

A7.7. Item 4. Justification. Enter concise statements of all data supporting the proposed change, including reason why the facility is no longer required for current use. State if this action will change the condition code.

NOTE: Additional justification is required for changes in housing and transient lodging facilities (appropriated fund and nonappropriated fund).

A7.8. Items 5, 6, 7, and 8. Self-explanatory. NOTE: When additional space is needed for any item, use 8-1/2 by 11-inch bond paper.

## Attachment 8

### STANDARD MINERAL LEASE STIPULATIONS

**A8.1. Stipulations.** Mineral leases grant the right to operate in a leased area for mineral production, and the AF lease stipulations are contract terms that restrict, limit or condition the lessee's right to operate. Authority to deny lessee operations will be established by these lease stipulations.

**A8.2. Drafting.** To prevent challenges to lease, stipulations must be carefully written, and clear enough for the potential lessee to estimate the value of leasing. Stipulations will specify the reason for restricting operations and the land affected; e.g. "The lessee will not operate in Tract A because it contains a critical wildlife habitat." Stipulations must also permit a waiver of the restriction, if pertinent conditions change, or if the lessee can operate without causing unacceptable effects; e.g. "Operations on Tract B will not be approved, unless it shows the installation commander that mineral operations will not interfere with the installations mission."

#### **A8.3. Mandatory stipulations :**

A8.3.1. The Secretary of the Air Force or designee reserves the right to require suspension of operations in case of a national emergency, or if the leased area is needed for a mission that is not compatible with lease operations. Use of this right must have MAJCOM approval. Upon approval from higher authority, the installation REMO will give the lessee written notice, or when time permits, request BLM to give notice to the operator to suspend operations. Copies of this notice will be simultaneously provided to the MAJCOM, appropriate COE, the operator, and BLM. The lessee and the operator agree to this condition and waive the right to compensation for its exercise.

A8.3.2. If the installation commander or installation REMO finds an imminent danger to safety or security, they may order an immediate stop of such activities. The regional director of BLM; the MAJCOM; AFREA/MI; appropriate district COE; and the lessee must be notified immediately. On receipt of the notice, the BLM regional director must review the order and determine the need for other remedial action.

A8.3.3. The operator must immediately stop work if contamination is found in the operating area and ask the installation commander or installation REMO for help.

**A8.4. Necessity.** Stipulations must be necessary.

A8.4.1. Proposed stipulations that duplicate standard lease terms, published regulations, or published operating orders should be avoided.

A8.4.2. Stipulations that restrict economical extraction of a mineral should be included.

**A8.5. Justification.** Stipulations must be justified.

A8.5.1. Proposed stipulations that restrict operations, because they are incompatible with resources, values, uses, or users should be included. Consideration should be given to accommodating resources, values, uses, or users elsewhere at no cost to the AF during the period of operations.

A8.5.2. Installations should be prepared at all times to explain why the stipulations are required. Installations should similarly be prepared to show that less restrictive stipulations were considered but rejected as not promoting the national defense or not being in the public interest. This may be done by referring to mission statements, plans or similar materials, by separate explanation or by another reasonable method. Explanations should contain enough information on surface resources, values, uses, and users to show which lands require the protection of a stipulation.

**A8.6. Information Notices.** At the time of leasing, the installation may wish to give the lessee information that will not restrict lessee operations. This information might help the lessee write an acceptable plan of operations or clarify administrative matters. In such cases, the installation should recommend that the information be included in the lease as an information notice and not as a stipulation.

**A8.7. BLM Assistance.** Installations are encouraged to consult BLM for assistance in drafting lease stipulations.

**Attachment 9**

**DEPARTMENT OF THE AIR FORCE PERMIT**

**ATTACHMENT A**

**DEPARTMENT OF THE AIR FORCE PERMIT NO.**

**ADDITIONAL CONDITIONS FOR USE OF REAL ESTATE MANAGED OR CONTROLLED BY  
THE AIR NATIONAL GUARD (ANG) ON A PUBLIC AIRPORT**

The permittee agrees that this permit is granted subject to the following additional conditions:

1. The \_\_\_\_\_ ANG is the host for all military activities at the \_\_\_\_\_ Airport, and the permittee (including its subordinate units at the airfield) is a tenant. An interservice support agreement satisfactory to the host will be executed contemporaneously with the issuance of this permit, to include customary cost reimbursements for base operating support provided by the host. For the purposes of this provision, all Government- controlled real estate or personal property associated with the ANG mission on this airfield will be referred to as the "Air National Guard (ANG) Installation."

2. The ANG installation is operated under the single manager concept. The installation commander, designated by the Adjutant General of \_\_\_\_\_, is the single manager responsible for all installation operating support and military use of the public airfield. The permitted real estate will be under his or her control. The installation commander has the same authority and responsibility to manage the installation as is possessed by the senior commander of an Air Force base, including operational control of all real estate and personal property therein, by statute, regulation, and service custom. The installation commander will issue, as necessary, and the permittee will observe installation rules, regulations, and directives relating to the operation of the installation.

3. The permittees unit commander on the installation will coordinate with the installation commander in carrying out all activities which may affect the management and operation of the installation.

Permittee: \_\_\_\_\_

By: \_\_\_\_\_

Dated: \_\_\_\_\_

## Attachment 10

### RENTAL CRITERIA

#### **A10.1. Rental Rates:**

A10.1.1. Basic Rent Principle. If rental quarters are:

A10.1.1.1. Within or adjacent to (no more than 5 miles from the boundary of) an established community offering a rental housing market, set the basic rental rate at prevailing rates for comparable private housing in and adjacent to the community.

A10.1.1.2. Not within or adjacent to an established community, use either of the two following methods of determining rental rates with regard to any locality:

A10.1.1.2.1. Use rental rates in and adjacent to the nearby representative private community as a basis for establishing comparable rentals, or

A10.1.1.2.2. Compare the rental rates of comparable private housing in an economically homogeneous area encompassing the rental quarters and set the basic rental rates at the average of rates for comparable housing. The area selected (which must be permanently defined) should be large enough to permit an adequate sampling of comparable quarters (it may contain several communities), but small enough to keep economic homogeneity. Exclude extremely high and extremely low private housing rents in computing the average in each classification of housing.

A10.1.1.2.3. If new appraisals, surveys or CPI adjustments result in substantial increases in rental rates (i.e., 50 percent or more above the current rental rate), such increases may be imposed incrementally over a period not to exceed 1 year, on the condition that they be applied in equal increments on at least a quarterly basis.

A10.1.2. **Establishing Basic Rental Rates.** Establish basic rental rates in comparison with existing private rental rates. Professional appraisers, use the regional survey concept of "rental value" if no properties are available for comparison.

A10.1.3. **Administrative Adjustments.** Applying the preceding guidelines might result in either higher or lower rental rates than the "reasonable value of the quarters." Additions to or adjustments from the basic rental rate are required in the specific situations described below. The total amount deducted for either reason must not result in a rental rate less than the reasonable value of the quarters, since this would constitute a supplement of salary in contravention of law. The rental rate, after all adjustments must not be less than 50 percent of the base rental rate, unless an adjustment for isolation has been made. In such instances, the rental rate may be set at not less than 40 percent of the base rental rate.

#### **A10.1.3.1. Isolated Locations.**

A10.1.3.1.1. In some cases, the government supplies quarters in location where minimal community services are available, but only at some distance from the quarters. Also, travel conditions or modes of transportation may serve to further isolate some employee's from minimal community services. In such situations, the head of an agency must grant a reasonable adjustment, using the procedure described below:

A10.1.3.1.1.1. Step 1. Determine the one-way distance in miles (from the quarters to the nearest established community) for each affected category of transportation listed in figure 1. Enter mileage in the appropriate block under Column B.

A10.1.3.1.1.2. Step 2. Multiply mileage figures entered in Column B by point values listed in column A for each affected category of transportation to produce one-way points for each category. Add 29 points to the category 4 subtotal and 27 points to category 5 subtotal to reflect relative differences in cost or time by use of these modes of travel.

A10.1.3.1.1.3. Step 3. Add all categories on one-way points in Column C to produce total one-way points. (If total does not exceed 30 points or there is not adjustment for isolation.)

A10.1.3.1.1.4. Step 4. Calculate the Isolation Adjustment Factor (IAF) using the following formula: 2 (to reflect round-trip points) times 4 (to reflect number of trips per month) times \$X.XXX (GSA's current automobile mileage allowance). For example, the GSA mileage allowance, as of the date of this regulation, (reference Circular OMB, A-45) is \$0.205, resulting in an IAF of 1.6 (rounded to the nearest tenth). The IAF will be recomputed by the agency head each October.

**Figure A10.1. Travel Category Computation Steps.**

	Category of Travel	Column A Point Value		Column B One-Way Miles	=	Column C One-Way Points
(1)	Paved road or rail	1.0	X	_____	=	_____
(2)	Unpaved but improved road (or hazardous conditions at least 4 months per year)	1.5	X	_____	=	_____
(3)	Unimproved road (or hazardous conditions at least 6 months per year)	2.0	X	_____	=	_____
(4)	Water, snowmobile, pack animal, foot or other special purpose conveyance	2.5	X	_____	=	+29 _____
(5)	Air	4.0	X	_____	=	+27 _____
						Total One-Way Points = ____
						Total One-Way Points = _____

A10.1.3.1.1.5. Step 5. Multiply total one-way points (sum of Column C) by the IAF to produce the monthly adjustment for isolation (and round to the nearest whole dollar.)

A10.1.3.1.2. Use the nearest established community for calculating the deduction, even though the community may not serve as the location of the comparable private housing used in establishing the base rental rates. The mileage used in computing the adjustment is the shortest route usually traveled from the rental quarters to the nearest established community. If that route is closed seasonally, use a weighted average adjustment for the entire year, based on the number of months each route would ordinarily be used.

A10.1.3.1.3. Because of the range of possible travel conditions and modes of transportation, assign point values to each category of transportation. These point values represent differences in time, cost, or both associated with each mile of each category of transportation from the quarters to the nearest established community.

A10.1.3.1.4. Multiply the point values by the number of one-way miles from the quarters to the nearest established community, to produce one-way points. When travel from the quarters to the

nearest established community involves more than one category of transportation, the distributed one-way miles accordingly. Then add the one-way points in each category to produce total one-way points, which must exceed 30, or, if there is no transport, multiply an IAF based on the automobile mileage allowance determined by GSA to produce the monthly dollar adjustment.

**A10.1.3.2. Adjustments for Amenities.** Adjust rental rates to allow for higher or lower standards of amenities for the rental quarters in relations to those of private housing used for comparison.

A10.1.3.2.1. If a professional contract appraiser recommends rates, state on the record supporting the recommendations the extent to which amenities are taken into account.

A10.1.3.2.2. If employee committees recommend rates, the method of providing an adequate adjustment must be as specified in this regulation. If the amenities of rental quarters are deficient (see attachment 10, reduce the basic rental rate. If the converse is true, increase the rental rate for quarters. To determine the additional or deduction:

A10.1.3.2.3. First consider each of the amenities that relate both to the rental quarters and to the housing used for comparison.

A10.1.3.2.4. Then assign to each of the amenities, present in each case, the value of 3 (percentage) points. The difference in total points between the value assigned to the rental quarters and those assigned to the house, used in establishing comparability, determines the deduction from, or addition to, the basic rental rate.

**EXAMPLE:** The amenities listed are all present in much the same degree for both the rental quarters and the comparable housing, except that water service at the rental quarters is subject to frequent disruption (or the water frequently requires boiling for safe use). Thus, the total points assigned to the rental quarters would be 3 less than those assigned to comparable housing, and the rental would be reduced by 3 percent of the basic rental rate.

**A10.1.3.3. Standards of Maintenance.** The inclusion of "Standards of Maintenance" is intended to result in an increase or decrease in the rental rate, when the government-supplied maintenance is substantially superior or inferior to that of the private housing used to establish comparable rental rates. Include care of grounds and interior and exterior maintenance of structures in each case of Standards of Maintenance. Do not consider factors subject to some judgment, such as general attractiveness of the neighborhood as a basis for adjustment, unless there is clearly a noticeable difference. If this is so, apply, the factors whether they operate to increase or to decrease the rent.

**A10.1.3.4. Impositions on Privacy or Space:**

**A10.1.3.4.1. Space Devoted to Official Use.** If the commander determines that part of the quarters is required for use by official visitors, for office space, or for the general convenience of the public, the appraisals require special treatment. Consider these impositions in appraisals made by professional contract appraisers. If committees are used, and if no comparable means can be found by which to establish a fair rental, establish a deduction from the other-wise basic rental rate. Determine the deduction on the basis of the frequency of the official demands and the extent to which the occupant is denied the private use and convenience of the space. In each such case, the installation commander determines and records in the proper files the exact conditions that exist. If the official use is virtually a daily occurrence and the private use of the family area is seriously diminished, allow a deduction of 10 percent of the basic rental rate. Adopt deductions of less than 10 percent in direct proportion to situations of either less frequency or less seriousness in their impact on privacy.

**A10.1.3.4.1.1. Other Impositions.** Employees may live within the confines of a government installation or reservation by choice, because of a condition of their employment, or lack of a suitable alternative. Such conditions do not serve as the basis for a rental deduction to make up for the inconvenience to the employees or their family. Also, a decrease in the rental rate cannot be justified because of a so-called "institutional atmosphere," the hazards of the job, or other conditions not constituting an authorized deduction.

If extreme circumstances exist in some federal housing that cause the rental rate established by this attachment to seem unreasonable, the installation commander refers such cases to AFREA/MI for action with the Office of the Secretary of Defense and the Office of Management and Budget for an exception.

**A10.1.3.5. Maintenance of Two Households.** Sometimes an employee has to maintain two households (one permanent and one temporary) for the convenience of the government and no provisions are made for the payment of per diem. In this case, the MAJCOM is authorized to adjust the rental rates for the temporary quarters provided to the employee, so that the combined rent that the employee must pay over a 12-month period is not excessively burdensome. Unless the MAJCOM recommends that the circumstances of a case fully justify a greater deduction and AFREA/MI approves, the adjustment must not be more than 20 percent of the basic rental rate for the temporary quarters.

**A10.1.3.6. Excessive Size and Quality.** At some government stations, an employee is not able to occupy quarters of the size or quality he or she would select in a private community. If the employee must accept size or quality in excess of needs because alternate housing is not available, the quarters do not have a "reasonable value" equal to the amount of comparable private rental housing. The extra cost would be burdensome. In exceptional cases of this kind, a special adjustment may be made to reduce the rent to that comparable for housing of the size and quality the employee needs. In these circumstances, reduce the base rent rate 10 percent in direct proportion to the degree of the excess or deficiency. The determinations of this nature must be supported in files at the installation. The deduction is not allowed to employees, if suitable alternate housing is available, nor does it continue beyond 1 month after private housing or rental quarters becomes available, unless AFREA/MI determines that occupancy of the quarters is in the best interest of the government.

**A10.1.3.7. Inadequate Size.** Allow a deduction of up to 10 percent of the basic rental rate is allowable if the government quarters are clearly not adequate in size for the needs of the employee's family, and larger private housing or rental quarters are not available. Do not continue the deduction beyond 1 month after suitable private housing or rental quarters becomes available, unless AFREA/MI determines that occupancy of the quarters is in the best interest of the government.

**A10.1.3.8. Differential Between Furnished and Unfurnished Quarters.** If there appears to be an insufficient market of comparable furnished private quarters for comparison with furnished rental quarters, appraisers and employee representatives may use as a basis the rents of otherwise comparable unfurnished private units, and adjust these by a reasonable charge for furnishings. The monthly charge to occupants for rental of furnished quarters must be set at the level that amortizes the replacement value at the time of appraisal, during the estimated useful life of the furniture, but not exceeding 10 years.

**A10.1.3.9. Lack of All-Weather Construction.** Because of poor design or lack of all-weather construction, quarters sometimes cause an unreasonable expense to the employee for heating or cooling. If the rental quarters in question require expenses to the occupant in excess of 25 percent for the heating or cooling season over the average of heating or cooling for comparable housing in the same area and climate zone, as determined by a suitable survey or appraisal, the head of the agency may determine that the excessive costs (i.e., those in excess of 25 percent over the average) may be deducted from the annual rental rates.

**A10.1.4. Qualifications and Extensions.** The principle of comparability may be modified in the cases, and under the conditions, described below:

**A10.1.4.1. Extensions of Comparability.** For lack of available alternative quarters, employees must sometimes occupy space that is generally not suited for use as quarters. Such space may be unsuitable, for example, because it was built originally for seasonal occupancy only, or not built originally for use as quarters. In other cases, quarters may be suitable only for particular types of occupancy. In any case, if comparable rental data cannot be obtained or professional appraisals made, determine rental

rates by the square footage occupied. This rate must be equivalent to one-half the basic rental rates per square foot charged for the nearest adequate rental quarters of the Air Force or any other federal agency. It applies only to the shelter rental, with additional charges for all equipment, furniture, and services provided, at rates comparable to other units in the area. Base rental and other charges on normal capacity, and keep them in effect for each occupant without regard to fluctuations in the number of occupants above or below normal capacity. Distribute common-use space, in buildings where space is assigned for occupancy of several persons or among families and charge all occupants in proportion to the space assigned. The number of square feet chargeable to each occupant include all common-use washrooms, stairs, hallways, storage space, lobby or lounge, etc.

**A10.1.4.2. Transient Quarters.** Rates for transient quarters are set up equivalent to private transient housing of comparable type, size, and quality. These rates may be set on a nightly or weekly basis, or both. If comparable private transient quarters do not exist in the area, establish the rental by determining the reasonable monthly rental rate for the rental quarters by applying the other provisions of this attachment, and adding to the monthly rate a charge of at least 20 percent. The total is then divided by:

A10.1.4.2.1. Four and one-third for the weekly rate; and

A10.1.4.2.2. Thirty for the nightly rate.

**A10.1.4.3. Territories Administered by the United States.** General policies in this regulation are to be applied in the territories. However, the method of determining specific rates in each area requires the advance approval of the Office of Management and Budget (OMB). Proposals must demonstrate that:

A10.1.4.3.1. The proposed method is impartial and consistent with all rental quarters in the same area.

A10.1.4.3.2. Rents and other charges are set at the reasonable value of the quarters, equipment, furniture, and services.

**(NOTE:** The Corps of Engineers, Department of the Army, or MAJCOMs, as appropriate, will ensure availability of the advance approval in coordination with AFREA/MI.)

**A10.1.4.4. Exceptions.** Alternatives to requirement of this regulation are prescribed only on written request to AFREA/MI. The request must be limited to unusual circumstance, where it can be demonstrated to OMB that applying the provisions of the regulation would not result in a rental rate equivalent to the "reasonable value" to the occupant.

**A10.2. Utility Charges.** Utilities should be furnished by private companies and billed directly to the occupant, whenever possible. Annual charges for government-furnished utilities should be adjusted to keep pace with current costs. The rate should be the average residential rate for the utility in the established community or survey area as of the last day of September. The new utility rate will be charged in the first full pay period in the following February to coincide with the CPI Rent Series adjustment to rental rates.

**A10.3. Itemized Charges for Quarters.** The total charge for occupancy or quarters is itemized as follows:

A10.3.1. Shelter rent.

A10.3.2. Utilities and related services.

A10.3.3. Nonappropriated fund services.

A10.3.4. Furnishings (as applicable).

**A10.4. Other Guidelines.** In addition to the other provisions of this regulation:

A10.4.1. Ensure all appraisals are thoroughly impartial.

A10.4.2. Never allow occupants of the rental quarters under consideration, or subordinates of such

occupants to serve on employee committees recommending rents and other charges.

A10.4.3. Take special care to promote a consistent local pattern in rents and utility rates, if several different federal agencies supply rental quarters in the same area. Coordinate professional appraisal efforts when employee committees are used.

A10.4.4. Keep complete records of the findings and recommendations of employee committees at the installation.

A10.4.5. Continue to charge employees on leave for quarters and related facilities, unless they are permitted to vacate quarters, making them available for reassignment.

A10.4.6. In keeping with the principle of comparability, make sure installations' family housing managing personnel assume the responsibilities customarily accompanying landlordship, and for those who occupy rental quarters make sure they assume responsibilities consistent with those of tenants in privately owned housing.

**A10.5. Unacceptable Factors for Determining Rents and Charges .** Unrealistic rents and charges frequently have resulted from:

A10.5.1. Deducting taxes from comparable rents on the basis that the government does not pay taxes and therefore can charge a correspondingly lower rent.

A10.5.2. Establishing civilian rents lower than true comparability, as inducement to recruit or retain key personnel.

A10.5.3. Applying allowable deductions too liberally.

A10.5.4. Establishing rents on the basis of comparison with company-owned (or otherwise subsidized) housing.

A10.5.5. Applying freely and unrestricted isolation factors associated with the geographic location of a base or installation.

A10.5.6. Maintaining a gross rent comparable to gross rents for private housing, with a reduction in the shelter rent portion to permit an overly generous recovery of charges for utilities.

A10.5.7. Establishing a shelter rent below comparability because the comparable rates exceed:

A10.5.8. The BAQ of the military occupant, or

A10.5.9. The BAQ forfeited by military personnel for equivalent or more adequate public quarters.

A10.5.10. Deducting a profit made by private landlords on the theory that the government cannot or should not charge rents that result in a profit.

A10.5.11. Employing discriminatory practices (for example, establishing different rents for civilian and military occupancy

**Attachment 11****APPRAISAL REPORTS DATA****A11.1. Construction Details:**

- A11.1.1. Physical description of quarters evaluated by type (brick,
- A11.1.2. Frame, stucco, etc.
- A11.1.3. Classification (apartment, dwelling, VOQ, etc.)
- A11.1.4. General grade of construction work
- A11.1.5. Materials and decoration
- A11.1.6. Number of rooms and number of bedrooms
- A11.1.7. Floor space
- A11.1.8. Porches and garages
- A11.1.9. General appearance and condition

**A11.2. Equipment and Accessories (Exclude Ordinary Furnishings):**

- A11.2.1. Refrigeration
- A11.2.2. Cooking facilities
- A11.2.3. Kitchen cabinets
- A11.2.4. Closet space
- A11.2.5. Built-in conveniences
- A11.2.6. Screening
- A11.2.7. Elevators
- A11.2.8. Telephone service
- A11.2.9. Utilities
- A11.2.10. Plumbing
- A11.2.11. Air conditioning

**A11.3. Site Conditions:**

- A11.3.1. Approximate lot size for housing area
- A11.3.2. Approximate lot size for each living unit
- A11.3.3. Approximate access (street and road frontage)
- A11.3.4. Restrictions (easements or other conditions impeding usefulness)
- A11.3.5. Land improvements (walks, driveways, shrubbery, lawns,
- A11.3.6. Topography, hazards, etc.)

**A11.4. Neighborhood Development and Data:**

- A11.4.1. Desirability of location and zoning use control
- A11.4.2. Public transportation
- A11.4.3. Schools
- A11.4.4. Shopping facilities
- A11.4.5. Recreation facilities
- A11.4.6. Supply and demand for housing
- A11.4.7. Population statistics
- A11.4.8. General trend and development

**A11.5. Comparable Rental Data:**



## Attachment 12

**REAL PROPERTY INSTALLED EQUIPMENT (RPIE)**

RPIE DEFINITION: Those items of government-owned or leased accessory equipment, apparatus and fixtures that are essential to the function of the real property and are permanently attached to, integrated into, or on government-owned or leased property. Excluded is organization or collateral equipment reflected in the equipment authorization inventory data (EAID), as shown in AFM 67-1, volume IV. Also excluded are other technical, medical, commissary, aircraft installed, fixed laundry and dry cleaning, MARS, cryptographic, automatic data processing, rental equipment, research and development, communications equipment.

Above Ground Fuel Storage Tanks	Only if they are assigned a real property facility number and are permanently identified on the base comprehensive plan and if the "intent" is to support a real property facility. If the "intent" is for these tanks to be mobile and relocatable, then they are EAID
Air Dryers/Compressors	Permanently installed. However, if they are in support of communication lines, they are EAID
Air Handling Units	Warm air and ventilating units
Appliances	Appliances that are installed in Military Family Housing (including plug-in)
Auditorium Curtains	Large stage and school curtains that are opened electrically or mechanically. Army Air Force Exchange Service (AAFES) has retained ownership in Air Force theaters
Arresting Systems	Aircraft
Cathodic Protection Systems	
Central Vacuum Cleaner System	If installed at the time of building construction with all components enclosed in the structure (walls, floor, etc) However, the piping not encased in the walls is not RPIE
Chalkboards	Chalkboards that are integrated into the building
Chapel Equipment	Pews, altars, built-in lecterns and pulpits.
Chlorinators	
Comprehensive Interior Design (CID)	Structure Related Only.
Comm Manholes and Ducts Systems	Communication manholes and ducts that are installed in support of communications-electronics.
Compressors	Permanently installed.
Dehumidifiers	Built-in, that are not an integral part of an air conditioning system
Elevators	Including auxillary parts

Electronic Air Cleaners	Provided they are permanently attached and integrated into the facility.
Electronic Baseball Scoreboard	Outside structure, unless baseball field is an enclosed dome
Electric Power Generators	Those generators which aid in the function of real property and are permanently attached to, installed into, or built in or on government owned or leased real property
Emergency Lighting	Emergency lighting used in theaters other than the regular distribution system.
Evaporative Coolers	Permanently installed
Fans	Induced draft ventilating, permanently installed
Fire Hydrants	
Fire Shutters	Installed in the theater projection room
Forward Fold Ceiling Mounted Backstop	Gymnasium equipment, i.e., basketball goal
Garbage Disposal Unit	Only when built in
Generators	Fixed, non portable. Electric power generating units, 50-60 cycle necessary to satisfy power systems requirements
GWEN	All utility services to the serving utility transformers including electrical power lines and meters, chain link fences (perimeter and equipment areas) are considered real property. The receiving and transmitting towers, including guy wires, related communication-electronic equipment (back-up power groups, shelters, electrical/signal conduit lines, ground phones) power packages enclosures (diesel engine generators, alternators, fuel tanks and various controls and equipment) are considered EAID equipment
Gym Divider Curtain	Permanently installed in Gymnasium
Heat Pumps	And other heating units permanently connected to a utility line
Heating/Boiler Plant	Meters, valves, controls, tanks, pumps, gauges, instruments, etc., necessary for functional operation
Heat Distribution System	Including manholes and pump enclosures
Helium Control Center	
Helium Control Cubicle	
Helium Compressor Skid	
Hydraulic Skid	
Hydraulic Lifts	Fixed automotive
Hoists	Monorail and bridge crane hoists that are permanently attached to the building (built-in) and that are NOT removed for service or repair. This includes the rolling mechanism (the lifting device)

Intrusion Alarm Systems	Various types of alarm systems. i.e., burglary, alert etc. Will be accountable under appropriate category code
JP-8+100 Injection Equipment	Only if they are permanently installed at a fixed fuel facility and additive storage tank (1,000 gallons and larger)
Joint Services Interior Intrusion Detection Systems (JSIIDS)	
Latrine Equipment	Lavatories, closet bowls, urinals, and other miscellaneous latrine facilities, equipment or fixtures
Launcher Erector	
Lifeguard Stands	All lifeguard stands, except wooden stands, exit ladders and diving board stands. These are permanently mounted and aid in the function of the facility
Line Isolation Monitor (LIM)	
Master Clock Systems	
Master Lock Systems	
Medical Vacuum and Piped Gas System	Only vacuum/piped gas system outlets and associated monitoring panels
Microwave Ovens	Only when built-in
Missile Facility	<ul style="list-style-type: none"> <li>a. Power Supply and Distribution <ul style="list-style-type: none"> <li>Normal power service</li> <li>Standby power generation</li> <li>Power distribution and control</li> <li>Lighting</li> </ul> </li> <li>b. Water Supply and Distribution <ul style="list-style-type: none"> <li>Water storage</li> <li>Domestic water</li> <li>Industrial water</li> <li>Fire system and fire fighting equipment</li> <li>Spray water</li> <li>Flooding water</li> <li>Plumbing</li> </ul> </li> <li>c. Heating, Ventilating and Air-conditioning <ul style="list-style-type: none"> <li>Control center air-conditioning</li> <li>Access portal ventilating</li> <li>Launch silo equipment area heating, ventilation, and evaporative cooling</li> <li>Launch duct and collimator room a/c</li> <li>Cooling water</li> <li>Chilled water</li> </ul> </li> <li>d. Miscellaneous Systems I <ul style="list-style-type: none"> <li>Contaminated waste and sewage disposal</li> <li>Launch silo elevator</li> <li>Access portal elevator</li> </ul> </li> </ul>

	<p>Hydraulic power package HS-2  Blast dampers BD-1 and 2  Blast door power supply (HS-3)  Portable hydraulic pumps (HS-3)  Blast valves BV-1, 2, 3 and 4  Retractable platforms  Launch silo closure door, rails, and rollers  Control center shock isolation  Equipment shock isolation  Cableway shock isolation  Oxidizer dump  Fuel dump</p> <p>Miscellaneous Systems II  Detection and alarm  Fuel Oil  Compressed air  Compressor equipment of the instrument air system  Hydraulic power package HS-3  Blast valve BS-5 and power package HS-4  Various electrical control equipment  PTS receptacle pit  Blast doors  Roof doors  Escape hatch</p>
Monitoring Systems	Electrical Signal, Alarm and Call, Klaxun Alarms, Electronic Locking Device
Oil/Water Separator	Only if an integral part of the facility and necessary for the function of that facility
Pantograph Fueling Arms	Provided they are permanently installed as an integral part of types III and IV fueling systems
Plants - Air Conditioning	Built-in air conditioning units, including cooling towers, pumps, controls, etc., air handling units, water chillers, chilled water handling units, chilled water circulating pumps, piping and valves; and all other equipment necessary for the functional operation of the plant.
Playground Equipment	Equipment that is permanently sited and installed in concrete foundations. Includes slides, swings, seesaws, and similar equipment
Prefabricated Partitions	Prefabricated floor to ceiling wall partitions using ceiling and floor channels (tracks) such as the Hauserman Privacy Panel System are RPIE. However, the attached or unattached work surfaces (tables, deck and credenzas),

	storage (shelves and drawers) lighting and electrical accessories are EAID
Pumping Stations	Pumps, piping valves, control tanks, etc., necessary for functional operation
Projection Screens	Only those projection screens that are permanently installed as an integral part of the wall and/or electrically wired to circuits in the building (other than plug-in) are RPIE
Postal Lock Boxes	Used in postal facilities
Pull-out Seating	Seating that is fastened to the wall and/or floor
Range Canopies	With exhaust systems
Rear Projection Screens	Rear Projection Screens that are integrated into the building
Saunas	Only those saunas built in and integrated into the building will be considered RPIE. Saunas that are brought in a facility and set up are not RPIE
Scoreboards (Inside)	Scoreboards with control cable and remote control panel
Spray Paint Booths	Only if the facility involved is a single purpose corrosion control facility, performing no other function, and the spray booth insert is necessary for the facility to perform it's function. If the facility is a large multipurpose building and corrosion control is performed as one of many functions performed in the building then the paint spray booth is equipment. Adding a paint spray booth after construction of a multi-purpose facility also qualifies it as equipment and not RPIE
Satellite Antenna (Single Point)	Placed on top of buildings and have receiver, drive control and terminator
Scales	Built-in
Sewage/Industrial Treatment Plant	Pumps, piping valves, control tanks, etc., necessary for the functional operation
Stadium Seats	Only if permanently affixed to the structure
Storage Plant	Cold storage equipment, such as refrigeration, compressors, pipes, valves, tanks, controls, etc., and all equipment necessary to functional operation
Transformers	Street or electric lighting, complete with switch
Telephone Poles	If AF owned
Theatre Chairs	Permanently affixed to the floor by screws or bolts
Underground Compressed Air Lines	Lines that support the centralized aircraft support system (890-144)
Underground Electrical Ducts	Ducts that support the centralized aircraft

	support system (812-226)
Underground Sprinkler System	
Utility Meters	
Water Hydrants	
Water Treatment Plants	Pumps, piping valves, control tanks, etc, necessary for functional operation
Wardrobes/Lockers	Affixed and built-in as an integral part of the facility
Walk-in Refrigerators	Built-in, complete with operating unit
Window Air Conditioners	If bought with other than O&M funds, units must be transferred to CE by way of DD 1354, before they will be considered RPIE

THESE ITEMS ARE NOT REAL PROPERTY INSTALLED EQUIPMENT

Air Dryers/Compressors that support communication lines  
 Automated Fuel Dispensing System  
 Bicycle Storage Lockers  
 Bowling Pin spotters  
 Chemical/Biological/Radiological (CBR) Filters  
 Chemical Fume Scrubber System and associated filter pads  
 Civil Defense Sirens  
 Compressed Air System and Water Cooling/Recycling System  
 Compressed Natural Gas Dispensing Systems  
 Centralized Aircraft Support System (CASS) Consoles  
 Curtain - Air Device  
 Document Disintegration System  
 Emergency Power Systems (EPS)  
 Environmental Systems which performs functions similar to flight simulator  
 Floating marina type facilities held in place by chains or pilings or piers  
 Hyperbaric Chamber  
 Hush-Houses  
 Heavyweight Bag  
 HEMP/TEMPEST shielding equipment  
 Horizontal Bar with floor plates  
 Ice Making Machines  
 Intercom Equipment  
 Line Isolation Monitors (Medical)  
 Lockers - metal, removable  
 Mechanized Material Handling Systems  
 Mezzanine Modular  
 Noise (Sound) Suppressors System  
 Nurse Call Stations  
 Prewired Workstations  
 Power Conditioning Continuation Interfacing Equipment (PCCIE)  
 Public Address Equipment  
 Portable, relocatable or removable hoists  
 Portable Buildings

Portable Air Conditioners  
Portable Water Chillers  
Projection Screens that are attached to the ceiling by screws  
RUBB Stress-Tension Shelters  
Runway Ice Detection Systems (RIDS)  
Satellite Cable Television Antennas  
Sawdust Collector  
Sound Control Rooms - if they can be dismantled and reassembled with common hand tools  
Sound Suppression Equipment for Power Check Pads  
Speed Bag  
Steam Tables  
Stationary Acetylene Generators  
Systems Furniture  
Traverse Drapery Rods  
Venetian Blinds  
Ventilation System - Exhaust for Body Shop  
Volleyball poles with floor plates  
Walk-In Coolers - if free standing  
Window Shades  
Weight Chest Pulleys

## Attachment 13

**GENERAL SERVICES ADMINISTRATION (GSA) PUBLIC BUILDINGS SERVICE, OFFICE  
OF PROPERTY DISPOSAL (PR) REAL ESTATE SALES OFFICES**

**GSA Region and Area Served**

<u>REGION 1</u>	<u>MAILING ADDRESS</u>
CT, ME, MA, NY, NH, RI, VT, NJ	Office of Real Estate Sales (1 PR) U. S. General Services Administration 10 Causeway Street, Room 1079 Boston, MA 02222 (617) 565-5700
<u>REGION 4</u> DE, DC, MD, PA, VA, WV, AR, FL, GA, KY, MS, NC, SC, TN, Puerto Rico, Virgin Islands	Office of Real Estate Sales (4 PR) U. S. General Services Administration Peachtree Summit Bldg, Room 2928 401 W. Peachtree Street Atlanta, GA 30365-2550 (404) 331-5133
<u>REGION 5</u> IL, IN, MI, MN, OH, WI	Office of Real Estate Sales (1 PRF-5) U. S. General Services Administration 230 South Dearborn Street, Room 3864 Chicago, IL 60604 (312) 353-6045
<u>REGION 7</u> CO, MT, ND, SD, UT, WY, IA, KS, MO, NE, AR, LA, NM, OK, TX	Office of Real Estate Sales (7 PR) U. S. General Services Administration 819 Taylor Street, Room 9A33 Ft. Worth, TX 76102 (817) 334-2331
<u>REGION 9</u> AZ, CA, HI, NV, Samoa, Guam, The Trust Territory of the Pacific Islands	Office of Real Estate Sales (9 PR) U. S. General Services Administration 525 Market Street San Francisco, CA 94105 (415) 744-5940
<u>REGION 10</u> AK, ID, OR, WA	Office of Real Estate Sales (9 PRF-10) U. S. General Services Administration 400 15th Stret, SW, Room 1138 Auburn, WA 98001 (206) 931-7550

**Attachment 14****CONTRACT CLAUSES TO BE PUT INTO INVITATION FOR BIDS (IFB) NOTIFICATION OF HAZARDOUS PROPERTY AND ENVIRONMENTAL PROTECTION REQUIREMENTS**

The purchaser agrees to notify, in writing, any and all subsequent purchasers or receivers of this item and insert in any contract, by which title or control passes from the purchaser or receiver to another entity, a copy of clauses 1 through 10. Purchaser agrees to obtain from the subsequent purchaser or receiver a written agreement to notify any subsequent purchaser or receiver of the provision of clauses 1 through 10 in any subsequent contract by which title or control passes from the purchaser or receiver to another entity.

**1. HAZARDOUS PROPERTY**

The government cautions that the subject item, material or substances, or component, part, constituent or ingredient thereof may be corrosive, reactive, ignitable, or exhibit other hazardous or toxic properties. The government assumes no liability for any damage to the property of the purchaser, any person or public property, or for the personal injuries, illnesses, disabilities or death to the purchaser, purchaser's employees, any other person subject to purchaser's control or any other person, including members of the general public, arising from, or incident to, the purchase, use, processing, disposition, or any subsequent operation performed upon, exposure to, or contact with, any component, part, constituent, or ingredient of this item, or substance, or material, whether intentional or accidental.

**2. ASBESTOS**

a. Statement of Location and Conditions. The building(s) (names, number and location) were constructed using material containing asbestos.

The purchaser is advised that the building(s) contains (SF or LF) friable and/or (SF or LF) nonfriable asbestos.

NOTE: Provide percentage of both. The buildings and locations within the buildings containing the above-described asbestos are identified in the Sample Data Summary Table of the Asbestos Survey Report at (solicitation references) of the solicitation. (Insert here a summary of statement from the Asbestos Survey Report regarding condition of asbestos materials present and the potential for airborne fiber release during the anticipated contract activities.)

b. Health & Safety. Purchasers are warned that unprotected exposure to asbestos fibers has been determined to significantly increase the risk of incurring at least four diseases: lung cancer, certain gastrointestinal cancers, mesothelioma, and asbestosis. Care must be taken to avoid releasing or causing to be released asbestos fibers into the atmosphere, where they may be inhaled or ingested. The Occupational Safety and Health Administration (OSHA) has established a standard for the permissible exposure to airborne concentrations of asbestos fibers, set methods of compliance, including requirements for personal and environmental monitoring, personal protective equipment, and other measures that must be taken when working with or around asbestos. Purchaser shall, at a minimum, comply with the provisions of 29 CFR Subsections 1910.1001 and 1926.58, 40 CFR Subsection 61.140, and all applicable federal, state and local laws and regulations governing occupational and the general public's exposure to asbestos material. Purchaser further agrees to cause its employees and any subcontractors' employees, or other building occupants, who may be exposed to asbestos fibers, to comply with the provisions of all applicable federal, state and local laws and regulations. Compliance with this standard may not indemnify purchaser from liability for incidental asbestos exposure received by building occupants. For actions occurring outside the U.S., its territories and possessions, the

provisions apprising of U.S. requirements for protection from asbestos are advisory in nature. At no time will the purchaser (et al.) perform any acts or allow any actions that will cause or permit unprotected personnel to be exposed to airborne asbestos fibers exceeding 0.1 fibers per cubic centimeter of air (OSHA/AFOSH action level) while the property remains on a government installation.

c. Bidders (Offerors) are invited, urged and cautioned to inspect the property to be sold prior to submitting a bid (offer). More particularly, bidders (offerors) are invited, urged and cautioned to inspect the property as to its asbestos content and any hazardous or environmental conditions relating thereto. GSA will assist bidders (offerors) in obtaining any authorization(s) which may be required in order to carry out any such inspection(s). Bidders (Offerors) shall be deemed to have relied solely on their own judgment in assessing the overall condition of all or any portion of the property, including any asbestos hazards or concerns.

d. No warranties either expressed or implied are given with regard to the condition of the property including, without limitation, whether the property does or does not contain asbestos or is or is not safe for a particular purpose. The failure of any bidder (offeror) to inspect, or to be fully informed as to the condition of all or any portion of the property offered, will not constitute grounds for any claim or demand for adjustment or withdrawal of a bid or offer after its opening or tender.

e. The description of the property set forth in the Invitation for Bids (Offer to Purchase) and any other information provided therein with respect to said property is based on the best information available to the GSA sales office and is believed to be correct, but an error or omission, including but not limited to the omission of any information available to the agency having custody over the property and/or any other federal agency, shall not constitute grounds or reason for nonperformance of the contract of sale, or any claim by the purchaser against the government including, without limitation, any claim for allowance, refund, or deduction from the purchase price.

### **3. CLAIMS LIABILITY**

The bidder or purchaser agrees to hold the government harmless from any and all actions, claims, debts, demands, judgments, liabilities, costs and attorneys' fees arising out of, claimed on account of, or in any manner predicated upon loss of, or damage to, property and injuries, illness or disabilities to, or death of, any and all persons whatsoever, including members of the general public, or to the property of any legal or political entity including state, local and interstate bodies, in any manner caused by, or contributed to, by the bidder or purchaser, its agents, employees, or any person subject to its control while in, upon or about the sale, the property site on which the property is sold or offered for sale is located, or while the property is in the possession of, or subject to the control of, the bidder or purchaser, its agents or employees, once the property has been removed from the site at which it is located.

### **THE FOLLOWING CONDITIONS APPLY IF THE PURCHASER SUBSTANTIALLY ALTERS, STRIPS OR DEMOLISHES THE BUILDING.**

### **4. ENVIRONMENTAL POLLUTION**

The purchaser must comply with all applicable federal, state and local laws, ordinances, and regulations with respect to environmental pollution during the processing, use or disposal of material purchased from the government, including, but not limited to the Federal Water Pollution Control Act, as amended by the Clean Water Act of 1977 (33 U.S.C. Subsection 1251 et seq.), the Rivers and Harbors Appropriation Act of 1899 (33 U.S.C. Subsection 401 et seq.), and the Clean Air Act (42 U.S.C. Subsection 7401 et seq.). All contract activities that have the potential for an uncontrolled release of asbestos fibers into the general air, land or aquatic environment shall be thoroughly controlled. The purchaser will be liable for any fines or penalties or other costs due to its failure to comply with applicable federal, state, and local requirements.

Demolition and burial must be in accordance with EPA regulations at 40 CFR Subsections 61.140-56

and other applicable federal, state, or local air quality regulation supplementing the provisions of 40 CFR Part 61.

**NOTE:** Special requirements have been established for disposal of school facilities. (See 40 CFR, Part 763.)

If, incident to taking possession of a building, the purchaser damages nonfriable asbestos material so as to render it friable, the purchaser must affix an appropriate warning sign and label in accordance with Condition 5, Asbestos Caution Signs and Labels, and take all actions and bear all costs required to return the structure to compliance with all federal, state, and local law.

## **5. ASBESTOS WARNING SIGNS AND LABELS**

a. **SIGNS** - Standard OSHA asbestos warning signs are not required on access doors of buildings containing asbestos unless the area in question qualifies as a "regulated area," in accordance with 29 CFR Subsections 1910.1001 and 1926.58.

b. **WARNING LABELS** - Standard OSHA asbestos caution labels must be affixed on various asbestos-containing items that are friable. These labels identify that asbestos is present and caution against creating asbestos dust. The labels shall remain on the items containing friable asbestos until such time as they are rendered asbestos-free.

## **6. ASBESTOS DECONTAMINATION BY CONTRACTOR PRIOR TO REMOVAL FROM INSTALLATION**

If a building, containing friable asbestos or nonfriable asbestos material in less than good condition, is not to be demolished, but is to be dismantled for salvage, or is to be relocated, either intact or disassembled, or moved and reassembled for a future use, all friable asbestos material and nonfriable asbestos material in less than good condition shall be removed prior to removal of the building and/or its component parts and equipment from the installation according to provisions in paragraph 4 herein above.

## **7. ASBESTOS DUST CONTROL, HOUSEKEEPING AND CLEANUP PROCEDURES**

All external surfaces, where work will be performed, shall be maintained free of accumulations of asbestos fibers to prevent further dispersion. Meticulous attention must be given to restricting the spread of asbestos fibers and asbestos waste. To the extent required by 29 CFR Subsections 1910.1001 and 1926.58, 40 CFR Subsection 61.147, 40 CFR Subsection 61.154, and other applicable federal, state, and local requirements, engineering controls shall be used to keep asbestos from being distributed over the general area, and appropriate asbestos hazard warning signs shall remain posted until the site cleanup is complete. The cleanup crew should be under the direction and supervision of the purchaser to ensure that proper cleanup is performed when asbestos dust/waste is present. All personnel engaged in cleaning up asbestos scrap and waste shall be equipped with appropriate respiratory and protective clothing in accordance with applicable regulatory requirements. For all asbestos abatement/removal actions carried out by Air Force installation personnel (normally Civil Engineer and Bioenvironmental Engineer), ensure that all personnel involved in asbestos abatement/removal, both contractor and in-house, meet minimum consensus qualifications and worker training guidelines, as prescribed in the latest AFCESA/DM asbestos policy guidance.

## **8. PROTECTIVE CLOTHING**

Purchaser will provide appropriate personnel with protective clothing in accordance with provisions in applicable regulatory requirements. Such personal protective clothing will not normally be required for work in buildings containing nonfriable asbestos material, unless it is determined that the potential exists

for the release of asbestos fiber during dismantling or demolition activities. The appropriate measures, in light of prevailing work site circumstances, must be ascertained by the purchaser from applicable regulations.

## **9. RESPIRATORY PROTECTION PROGRAM**

When applicable, personnel shall be protected by personal protective equipment that provides full protection of the nose, mouth, and respiratory system. Personnel engaged in the removal or demolition of pipes, structures, or equipment covered or insulated with friable asbestos and/or nonfriable asbestos material that will become friable during contract activities, and personnel engaged in the removal or demolition of asbestos insulation or coverings shall be provided and shall use NIOSH/MSHA approved respirators in accordance with OSHA requirements.

## **10. PACKAGING, MARKING AND DISPOSAL OF ASBESTOS**

Friable asbestos waste, scrap, debris, bags, containers, equipment, and asbestos-contaminated clothing consigned for disposal, which may produce airborne concentrations of asbestos fibers, shall be collected and disposed of in leakproof, sealed, impermeable containers affixed with an asbestos warning label in accordance with the provisions in 29 CFR Subsections 1910.1001 and 1926.58, 49 CFR Subsection 173.1090, and 40 CFR Subsections 61.140-56 et seq. Prior to placing in containers, friable asbestos wastes shall be wet down to reduce airborne concentrations. It is essential that the friable asbestos waste material, whether in bags or containers, be disposed of by burial in accordance with 40 CFR Subsections 61.140-56 and any state or local statutes or regulations. Alternatively, waste asbestos may be buried in a permitted sanitary landfill designed, constructed, and operated under 40 CFR Part 241 and 40 CFR Part 257 and applicable state and local regulations. It is recommended that the purchaser contact the local regional office of the Environmental Protection Agency (EPA) for further information. When practicable, asbestos-containing scrap material will be wet down before handling, hauling, or disposing, to reduce the generation of airborne fibers. The purchaser must ensure that all containers containing asbestos and/or disposable garments with asbestos on them are transported by the safest route to an authorized disposal facility in accordance with Department of Transportation Regulations at 49 CFR Part 172, Subsection 173.1090, and Subsections 174-77, EPA regulations at 40 CFR Subsections 61.140-56 et seq., and applicable state air quality and hazardous waste regulations. The purchaser assumes full liability and responsibility for the material upon leaving the work area.

**Attachment 15****FORMAT FOR DECLARATION OF EXCESS (DE) REAL PROPERTY (LAND, LAND INTERESTS, AND LEASEHOLDS)**

NOTE: The DE is prepared by the Base Civil Engineer's office, approved by the Facilities Board, and submitted as a complete package through command channels to the appropriate authority (i.e., AFREA/MI, AF Secretariat, Office of the Secretary of Defense, or Congress)

A15.1. A complete package must include the following environmental information and documents:

A15.1.1. An Environmental Assessment (EA) including correspondence with the appropriate State Historic Preservation Office (SHPO) and Fish and Wildlife Agency and a Finding of No Significant Impact (FONSI), prepared in accordance with guidelines found in AFI 32-7061, *The Environmental Impact Analysis Process*.

A15.1.1. An Environmental Baseline Survey (EBS), prepared in accordance with the guidelines found in AFI 32-7066, *Environmental Baseline Surveys in Real Estate Transactions*. If the realty disposal interest is either fee or perpetual easement, the EBS, prior to submittal to the MAJCOM, must be approved by the appropriate state Environmental Protection Agency (or equivalent) and, if the installation is on the National Priority List, the Regional Federal Environmental Protection Agency also must approve the EBS.

A15.1.1. Notice of Contamination Certificate. Prepared in accordance with AFI 32-7066.

A15.1.1. Finding of No Contamination Certificate. Prepared in accordance with AFI 32-7066.

A15.1.1. PCB Clearance Certificate. Prepared in accordance AFI 32-7066.

A15.1.1. Asbestos Clearance Certificate. Prepared in accordance with Attachment 20.

A15.1.1. Base map showing locations of all underground storage tanks, a description of remedial action taken for leaking underground tanks and a statement regarding any restrictions on their future use.

**NOTE:** The installation environmental office will, upon your request, complete the above requirements and the MAJCOM environmental office will review and approve the information and documents prior to forwarding to this office.

A15.2. Reason for Excessing. How was property determined excess to current and programmed mission requirements (i.e., installation survey, Executive Order 12512 Survey, change in mission, etc.). Include a statement that the installation does not plan to acquire any property at or near this location in the foreseeable future.

A15.3. Location and Identification of Land and Improvements. Provide a map (property description if available) indicating the land area and a list of buildings and other facilities which are recommended for excess. Wetlands and flood plains also should be identified on the map.

A15.4. Stewart B. McKinney Homeless Assistance Act, as Amended. Detail reporting, suitability, and availability actions taken for the reported property and status of any expressions of interest by a homeless assistance provider.

A15.5. Present Use. Describe how the property was or is currently being used.

A15.6. Describe other defense service and agency screening actions taken by the installation and requirement identified as a result of screening.

A15.7. Outgrants. Attach a list of all outleases, easements, permits, etc. This list should include the Document No., beginning and ending date of agreement, and general description of property. If available, attach a copy of the initial outgrant document and any supplemental agreements.

A15.8. Recommended Disposal Date. Give the date the property is no longer required and identify any known obstacles to disposal.

A15.9. Caretaker Costs. Provide a description of protection and maintenance requirements and the estimated cost of those requirements.

A15.10. Restoration. Describe restoration requirements and their estimated costs. Additionally, advise that MAJCOM or installation funds are available for this purpose.

A15.11. Brief History. Indicate when the installation was first activated and describe the method of acquisition and subsequent significant events.

A15.12. Future Use. Identify any interest to be retained by the Air Force (i.e., clearance, road, aviation easement, etc.). Advise of any local interest which may have been expressed for the future use of the property.

A15.13. Discuss known minerals located within the excess area.

A15.14. Historic, archaeological, wetlands, and endangered species information should all be included in the Environmental Assessment.

A15.15. AF Form 1192, USAF Installation Characteristics Report. If an entire installation is being recommended for excess, submit an original and two copies of this report showing the installation as "excess."

A15.16. Hazardous Ordnance Contaminated Land. Land recommended for disposal having potentially hazardous ordnance contamination (primarily Air Force ranges) requires, in addition to the above, the following:

A15.16.1. Decontamination in accordance with AFI 32-3001.

A15.16.2. Explosive Ordnance Disposal Report and approved by the Department of Defense Explosive Safety Board (DDESB). This certificate must accompany the Report of Excess (SF 118) submitted to the General Services Administration.

A15.17. Real Property and Real Property Installation Equipment (RPIE) of the Army and Air Force Exchange Service (AAFES) and Nonappropriated fund (NAF) facilities. Identify all real property and RPIE of the AAFES and NAF activities, and include a statement of the desire of the owner to remove or receive appropriate compensation for their owned property at fair market value from the receiving agency or individual. Sales will be accomplished either by direct negotiation between AAFES or NAF and the receiver, or be based on special sales conditions and values to be included by the owner in the Declaration of Excess.

**NOTE:** When reporting former radar sites for disposal, omit copies of outgrants, expressions of interest from other parties, press clippings, and AAFES and NAF RPIE listings.

## Attachment 16

### CONDUCTING ENVIRONMENTAL BASELINE AND CLOSE-OUT SURVEYS IN REAL ESTATE TRANSACTIONS

**A16.1. PURPOSE.** This policy guidance establishes the requirement for the Air Force to conduct an Environmental Baseline Survey (EBS) of the condition of real property to be transferred, outleased, sold or otherwise disposed of under the provisions of this instruction or other authority, and conduct an Environmental Close-Out Survey (ECS) of property at the termination of any lease. The result of such a survey will:

A16.1.1. Document the nature, magnitude, and extent of any environmental contamination of property or interest in property considered for transferal, sale, or other disposition.

A16.1.2. Define potential environmental contamination liabilities associated with the subject real property transaction.

A16.1.3. Develop sufficient information to assess the health, and safety risks, and ensure adequate protection of human health and the environment related to the subject real property transaction.

A16.1.4. Determine possible effects on property valuation from any contamination discovered.

A16.1.5. Provide the basis for notice when required under Section 120(h)(1) of the Comprehensive Environmental Response Compensation and Liability Act (CERCLA), 42 U.S.C. 9620(h)(1), of type, quantity, and time frame of any storage, release or disposal of a hazardous substance on the property.

**A16.2. APPLICABILITY.** This guidance shall apply to all Air Force controlled real property located within the United States, its territories, or possessions, and property or interests in property identified for sale, or transfer from, to, or with a party other than the Air Force.

**A16.3. TERMS.** For the purpose of this Guidance, the following definitions apply:

**A16.3.1. Air Force Proponent.** Air Force major command, installation, other component, or other agent designated to act on behalf of the Air Force, responsible for initiating or carrying out the proposed real property transaction.

**A16.3.2. Disposal.** Any authorized method of divesting the Air Force of control of the responsibility for real property.

**A16.3.3. Hazardous substance.** This term shall have the meaning provided in CERCLA, 42 U.S.C. § 9601(14), except that for the purpose of this guidance, the term shall specifically include petroleum, petroleum products, oil, and lubricants (POL).

**A16.3.4. Real Property.** Land; present possessory interest in land; surface water and ground water within boundaries of such land; structures, fixtures and other improvements on land; other interests or future interests in land.

**A16.3.5. Release.** This term shall have the meaning provided in CERCLA, 42 U.S.C. § 9601(22).

**A16.3.6. Storage.** The holding of hazardous substance for a temporary period prior to the hazardous substance being either used, treated, transported, or disposed of.

**A16.4. PROCEDURE FOR CONDUCTING AN ENVIRONMENTAL BASELINE SURVEY (EBS).** Upon identification of a proposed real estate transaction for which an EBS is required, the Air Force proponent will request the appropriate installation environmental function to conduct an EBS. The Air Force Proponent will provide appropriate funding for the EBS.

A16.4.1. Phase I of the EBS will determine the potential for present and past site contamination, including the type and quantity, if any, of hazardous substances and time or times when storage, release

into the environment or structures, or disposal of such hazardous substances took place on the property, to the extent such information is available for the subject real property transaction. At a minimum, this will include a comprehensive records search and site inspection. Therefore, the following actions must be taken:

A16.4.1.1. Review all existing or completed surveys or inspection reports regarding asbestos, PCBs, Underground Storage Tanks and piping systems, Solid Waste Management Units, ECAMP surveys, and environmental engineer shop surveys.

A16.4.1.2. Review all Installation Restoration Program (IRP) studies, or other documentation produced in accordance with procedures being carried out at the property under CERCLA or the Solid Waste Disposal Act.

A16.4.1.3. Review any applicable regulatory agency reports, notices of violation or noncompliance, or other similar records.

A16.4.1.4. Review current or discontinued permits pertaining to environmentally regulated activity.

A16.4.1.5. Review all title, deed, other real property records, or other available documents to ascertain prior uses of the real property which may have involved hazardous substances or otherwise contaminated the property.

A16.4.1.6. Conduct visual inspections to determine or confirm the presence of an environmentally hazardous condition (unusual odors, stained soils, stressed vegetation, leachate seeps, land features related to human activity, etc.) or wetlands.

A16.4.2. At the conclusion of Phase I, a survey report will be prepared by the installation environmental function. The report will contain a statement of findings as to the environmental condition of the property and a certification of the survey results of the Base Civil Engineer or his or her appropriate equivalent. Survey reports shall always be made a part of the real estate transaction record. See AFI 32-7066, *Environmental Base Line Surveys in Real Estate Transactions*, for more information.

A16.4.3. For real property transfer, sale, or other disposition initiated by non Air Force parties, the Air Force proponent in the transaction will ensure completion of an EBS and should participate actively when a non-Air Force party conducts an EBS. The Air Force will conduct the EBS if the non-Air Force party to the transaction is either unwilling or unable to conduct an EBS, and the Air Force proponent determines that the transaction would be in the best interest of the Air Force.

A16.4.4. When the survey report indicates that no hazardous substance storage, release into the environment or structures, or disposal took place on the subject property, or that the occurrence of such storage, release, or disposal is not considered probable, no further action is necessary.

**A16.5. PROCEDURES FOR TRANSACTIONS INVOLVING PROPERTY IDENTIFIED AS POTENTIALLY CONTAMINATED.** If the existence of contamination or potential for a release of hazardous substances into the environment or structures of the subject real property is indicated in the survey report, and the subject property (if Air Force- controlled) has not yet been further characterized pursuant to the Installation Restoration Program (IRP), Phase II of the EBS, consisting of the following procedures, must be followed before the proposed transaction may occur:

A16.5.1. Conduct additional investigation as appropriate, to include surface, subsurface, and aquifer sampling consistent with the requirements of the Air Force IRP to

A16.5.1.1. Identify contaminants, or sources of release of contaminants, in the structures or soil;

A16.5.1.2. Ascertain or confirm the presence of groundwater contamination, and

A16.5.1.3. Determine the type, concentration and extent of the contamination.

A16.5.2. Prepare an addendum to the Phase I survey report that contains the results of the Phase II investigation, and a determination whether any contamination identified is above minimum concentration levels or other relevant and appropriate standards.

A16.5.3. Identify the subject property as "contaminated" to the appropriate command channels for determination as to whether the property must be included under the IRP, or is subject to an existing

Federal or state regulatory agreement for property itself or the installation. Based upon the results of such additional investigation, the Air Force proponent may go forward with the transaction, or elect to exclude contaminated portions of the subject property from the transfer, sale or other disposition. Any deed transaction involving Air Force-controlled property on which any hazardous substance was stored for one year or more, known to have been released, or disposed of is subject to the requirements of Section 120(h)(3) of CERCLA.

**A16.6. COMPLIANCE WITH OTHER LAWS AND REGULATIONS.** Air Force proponents will continue to comply with all provisions of other federal, state, department of defense, air force, or local laws and regulations applicable to the subject transaction.

**A16.7. FORMAT FOR THE ENVIRONMENTAL BASELINE SURVEY SUMMARY.** See AFI 32-7066.

## Attachment 17

### REPORTING PROCEDURES FOR DISPOSAL OF BUILDINGS CONTAINING ASBESTOS

A17.1. Whenever a building is to be reported for disposal, the potential exists that it may contain asbestos, whether as an insulation material, fire retardant material, or incorporated into other materials that are part of the building. Prior to programming a building for disposal, the following steps must be taken:

A17.1.1. The reporting Installation Commander must provide the following information with AF Form 300:

A17.1.1.1. A written certification that the building contains or does not contain asbestos. Place this annotation in item 11 of the form.

A17.1.1.2. In any case involving the recommendation to dispose of buildings or improvements, the Installation Commander must conduct an asbestos survey (Atch 21) of each building to be disposed of to determine the presence or absence of asbestos-containing materials.

A17.1.1.3. When it is determined that the building contains asbestos, specific clauses language shall be developed by the installation to include: the Statement of Work (SOW), safety and health provisions, and other pertinent information. The entire package will be reviewed by the installation Bioenvironmental Engineer.

**NOTE:** Safety and health clauses language that must be incorporated into the solicitation are found at attachment 14.

A17.1.2. After the MAJCOM approves AF Form 300 and attachments from the accountable installation, installation real property personnel shall coordinate the action with their Bioenvironmental Engineer prior to completion of an Invitation for Bids (IFB).

A17.1.3. Prior to the inspection period of prospective bidders, the Building Manager and installation Real Property Officer must be briefed by the BCE, Bioenvironmental Engineer, or contract personnel on the hazards and the locations of asbestos present in the building(s). The Real Property Officer shall convey this information to interested parties during the inspection period and others as needed. Buildings containing asbestos, approved for disposal, shall have standard OSHA warning signs affixed to asbestos-containing surfaces/work areas as required by 29 CFR 1910 and 29 CFR 1926.

**Attachment 18****INSTALLATION ASBESTOS SURVEY PROCEDURE**

A18.1. Before the U. S. Army Corps of Engineers (USACE) or GSA Office of Real Estate Sales can offer Air Force (AF) excess buildings for sale, it is necessary that AF installations conduct a survey of the buildings to determine if asbestos-containing material is present. If it is determined from the preliminary investigations that the building(s) to be disposed of are asbestos free or meet(s) the requirements of 29 CFR 1910.1001 as to employee permissible exposure limit, provide a written certification to that effect, signed by the BCE, and attach it to the AF Form 300. It is imperative that a thorough assessment of the building(s) to be disposed of be made in order to prevent, to the maximum extent possible, any inadvertent airborne asbestos exposure to contractor and government employees during disposal. This will reduce the potential for a costly contract modification, due to the presence of asbestos not otherwise identified in the solicitation and contract documents.

A18.2. If it is determined that asbestos-containing materials are present, or if the installation is unable to document that the building **does not contain** asbestos materials, it will be necessary for the installation to perform an asbestos survey and generate an Asbestos Survey Report of findings to be submitted with AF Form 300. This survey may be conducted by the installation Bioenvironmental Engineer, Civil Engineer, or a competent contractor. If a contractor is used, the BCE and Bioenvironmental Engineer should determine that the contractor is qualified, after reviewing the contractor's and its employees' work experience/training.

A18.3. The individual who performs the survey must provide the following information for the building(s) that are to be disposed of:

A18.4. Identify where asbestos is located in the buildings and provide a diagram and a Sample Data Summary Table containing:

A18.4.1. Building location where asbestos is present;

A18.4.2. The types of asbestos materials present (e.g., asbestos insulating pipe sleeve, spray-on, tape, cloth);

A18.4.3. Composition of asbestos insulating mixture, including approximate percentage (e.g., 16 percent chrysotile in a cement mix insulating pipe sleeve); and

A18.4.4. Assessment on the part of the survey or as to the condition of the asbestos insulation.

State of Existing Insulation    Friable    Nonfriable

Excellent

Good

Fair

Poor

A18.5. Environmental air sampling should be conducted only if it is determined that such sampling will provide definitive information to the prospective bidder regarding potential airborne asbestos hazards, where a reasonable determination has been made that asbestos contamination already exists to the extent that unprotected exposure could create a health hazard. Air samples collected during the survey must be analyzed by an American Industrial Hygienist Associated (AIHA) accredited laboratory, using current, acceptable analytical techniques. The laboratory selected must be a successful participant in the NIOSH Proficiency Analytical Testing Programs, latest round, specifically for the analysis of collected airborne asbestos samples. Air samples should be collected using a NIOSH-approved method and in a manner (aggressive sampling) that best represents or simulates conditions of worst case exposure.

A18.6. Grab samples of any suspected or known asbestos-containing material, also, must be collected. Bulk sampling and analytical methods must be in accordance with NIOSH and/or EPA recommended methods. Sample containers shall bear warning labels concerning their possible asbestos content. Samples shall be analyzed by an AIHA-accredited laboratory with a successful participation record in the (voluntary) EPA-sponsored Asbestos Bulk Sample Quality Assurance Program. Samples shall be analyzed by polarized light microscopy using dispersion staining (PLM/DS) techniques.

A18.7. In addition, an assessment must be made with regard to:

A18.7.1. Specific engineering steps necessary to reasonably remove the potential for airborne asbestos exposure to persons entering or working these buildings, if the buildings are to be relocated and reused for sale;

A18.7.2. Recommendations for decontamination, if environmental samples show the buildings are to be demolished or dismantled; and

A18.7.3. Specific recommendations with regard to control measures necessary, if the buildings are to be demolished or dismantled.

A18.8. In addition, other potential or existing safety and health hazards associated with the buildings must be assessed.

A18.9. A written Asbestos Survey Report of Findings must be prepared.

A18.10. Affix standard OSHA warning labels to asbestos containing materials, as identified by the Asbestos Survey Report.

A18.11. The Building Manager and interested bidders must be briefed by the installation Bioenvironmental Engineer, Civil Engineer, or contract industrial hygienist on the hazards of asbestos. Areas which have been defined as containing asbestos must be identified.

A18.12. The expertise to carry out the requirements of the survey may be available from resources within the installation or MAJCOM. If the required personnel are not available, the BCE should contract for a private industrial hygienist or qualified architect/engineer to conduct this survey. (This work also may be delegated to the USACE to perform.) Subsequently, the Corps, upon receipt of this mandatory information from the Air Force, will develop and issue the IFB offering the excess buildings for sale, unless the Air Force elects to take this action on its own.

SOLICITATION PROVISION

A copy of the Asbestos Survey Report for building(s):

\_\_\_\_\_ (Identity of building) is at \_\_\_\_\_ (Location in solicitation document) .

I certify that I have fully read and comprehend the contents of the information provided in the Asbestos Survey Report for the buildings to be disposed of under this solicitation.

\_\_\_\_\_  
Signature

NOTE: The contracting officer must ensure that the above certification is obtained from all bidders.

**Attachment 19****PROCEDURE FOR DISPOSAL OF BUILDINGS CONTAINING ASBESTOS**

A19.1. Prior to reporting any building for disposal, the installation commander must ensure that an asbestos survey (attachment 18) is accomplished and a written report of findings prepared.

A19.2. Buildings containing friable asbestos may not be reported by the installation for disposal by sale:

A19.2.1. Until the friable asbestos material has been removed and certification provided by the installation commander, or

A19.2.2. MAJCOM real property personnel, after coordination with command environmental planning and bioenvironmental engineering personnel, approve AF Forms 300.

A19.3. Buildings containing nonfriable asbestos material may be reported for disposal when criteria listed in attachment 21 have been met.

A19.4. A transferee (i.e., real property recipient) may accept asbestos-contaminated Air Force real property, if the transferee is financially responsible, agrees to perform all appropriate steps to protect public health and the environment, and agrees to indemnify the United States and hold it harmless against claims.

**NOTE:** Real property contaminated with friable asbestos material may not be transferred until the MAJCOM approves offsite removal.

A19.5. In carrying out their responsibility for decontaminating excess real property, base civil engineers (BCEs) must secure the necessary expertise, funding, coordinations, and approvals for the decontamination. This includes coordination with applicable installation bioenvironmental engineers, as well as with safety, public affairs, and legal offices.

A19.6. An installation may opt for "contracting out" their asbestos decontamination prior to, or as part of, demolition or sale for off-site removal. In such case the installation commander, prior to execution of AF Form 300, sees that an asbestos survey (attachment 18) is accomplished. Each survey shall be performed by the installation bioenvironmental engineer, trained civil engineering personnel, or by a competent contractor. A report of findings generated for each building (or findings for multiple buildings to be disposed of under a single solicitation) shall be signed by the installation commander and BCE.

**NOTE:** In addition to the asbestos survey requirement, the installation commander, with the assistance of the BCE, bioenvironmental engineer, and safety, public affairs, and legal offices, shall develop the Statement of Work (SOW), to include pertinent safety and health clauses in the solicitation document. Included shall be requirements for compliance with OSHA, EPA, state, and local regulatory requirements during the demolition, handling, decontamination, removal, transport, and disposal of building materials containing asbestos or asbestos-contaminated equipment.

A19.7. If USACE services are needed, the MAJCOM must furnish certification that any asbestos has been cleaned up, removed, encapsulated, or enclosed. Final clearance certification for asbestos removal contracts should be in accordance with EPA's "Guidelines for Controlling Asbestos Containing Materials in Buildings."

**NOTE:** The 0.01 fibers per cubic centimeter of air clearance level must not be used to circumvent the requirement for the complete removal of all friable asbestos materials prior to building disposal. This guideline is intended as a "quality assurance" requirement to ensure that the work site has been adequately decontaminated following an asbestos removal project. The guideline is not intended to be used as the standard for cessation of asbestos removal work in a building. Also, the MAJCOM must specify requirements necessary to monitor a contractor's disposal activity, such as a requirement that the contractor work only between 0800 and 1600 hours, in order that installation personnel may monitor

contract compliance. The BCE is responsible for providing necessary monitoring personnel during the period of the contract and the report to the contracting officers. Monitoring of contractor performance does not require installation personnel to sample contractor's employees' exposure to the asbestos. Such sampling, in compliance with applicable EPA/OSHA guidelines and regulations, is the contractor's responsibility and should be part of his contractual obligations.

A19.8. Following completion of the asbestos survey report, the installation commander must attach this information to AF Form 300 for processing to the MAJCOM for approval of the disposal action. In addition, a copy of the survey report must be provided to the installation real property officer for annotation in real property records.

A19.9. Upon issuance of the solicitation (with contract clauses as prescribed by attachment 14), if there are no bidders on a contract to dispose of the building, or if the facility has no commercial or salvage value, then the installation commander may dispose of the property by in-house demolition. However, disposal by in-house labor or fire training may not be conducted without specific approval from the MAJCOM and may only take place following the removal of all asbestos materials (i.e., friable and nonfriable).

A19.10. All records involving asbestos removal must be retained indefinitely in anticipation of litigation, as directed by AF/JACO/DAQD ALMAJCOM letter, 4 Aug 86, "Asbestos-Related Documentation."

**Attachment 20**

**ASBESTOS CLEARANCE CERTIFICATE**

**FINDING**

An on-site survey has been conducted for the excess real property described below.

The individual conducting the survey must provide the following information for real property to be disposed of:

1. Identify where the asbestos is located and provide a diagram.
2. Types of asbestos materials present (e.g., pipe insulation, spray-on, tape, cloth, floor tile, exterior siding, etc.).
3. Condition of asbestos found (friable or nonfriable)
4. Mitigation action taken.
5. A statement that all friable asbestos has been removed or encapsulated.
6. Certification that the presence and condition meet all Air Force, Federal, State and local laws and regulations. Therefore, the disposal of the below described real property may be accomplished.
7. Description and name of area being excessed:

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Base Commander or Chairperson  
MAJCOM Environmental Protection  
Committee or MAJCOM Civil Engineer

I certify that I have reviewed all asbestos data related to this real property and concur with the finding above.

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Majcom Bioenvironmental Engineer

**Attachment 21****HOW TO PREPARE AF FORM 300, FACILITY DISPOSAL**

NOTE: Use this form (AF Form 300) to request and approve the disposal of buildings, structures and other improvements on nonexcess land, including the deletion of such real property from the real property accountable records when the disposal is complete. Its preparation is explained below; blocks for which no instructions are given are considered to be self-explanatory.

**Item 1:**

**Facility Number, Column A.** Identify the buildings by the facility number on the facility record card of the real property accountable record; if this number is not the one reported in the latest RCS:HAF-LEE(AR)7115, Inventory of Military Real Property, correlate the two numbers by an entry in the "Remarks" section.

**Category Code, Column B.** Indicate the nomenclature recorded on the current RCS:HAF-LEE(AR)7115.

**Nomenclature, Column C.** Indicate the nomenclature recorded on the current RCS:HAF-LEE(AR)7115.

**Unit of Measure, Column D.** Indicate the unit of measure for the category code recorded in Column B. If other unit of measure is significant, enter U/M and amount in item 11.

**Quantity, Column E.** Indicate the quantity recorded on the facility record card for the unit of measure concerned, unless a partial disposal is being made (e.g., covered corridor, ramp, wing, etc.); in that case, obtain the quantity data from the Engineering Section.

**Cost, Column F.** Enter "Cost to Government" (i.e. acquisition cost plus improvements) as recorded on the record card to nearest \$1,000.

**Disposal Value, Column G.** If the recommended disposal is not by destruction or donation, enter (in US dollars) either the estimated gross receipt from sale, or the estimated value of salvageable materials, adjusted to allow for the cost of salvage and site restoration. If disposal by destruction or donation to a public body is recommended, enter "\$0," but explain in item 11 "Remarks" why the facility has no commercial value.

**Item 2.** Enter the condition(s) constituting the basis for disposal. This space also may be used to give additional information which may affect the basis for its disposal. Include a statement identifying the program, such as: "Proposed in FY 97 Disposal Program, Committed for Disposal in FY 96 MCP Line Item DORM AMN, In Way of New Construction FY 95 MCP Line Item SQDN OPS, Unprogrammed, etc."

**Item 3.** If the property was not screened, with other military activities in the area, explain why.

**Item 4.** Show action taken by the installation's Facilities Board.

**Item 5.** If within installation approval authority, enter the date that the disposal is to be completed. If approval is required by higher authority. Leave this portion of Item 5 blank.

**Item 6.** If disposal is disapproved, indicate reason in Item 11.

**Item 11:**

If the building is to be disposed by sale, list the RPIE to be disposed of with the building. Indicate any other pertinent data.

Use to extend or amplify the information contained in other blocks.

The following certification must be made on AF Forms 300 for all facilities and buildings: "The facility (facilities) listed hereon has (have) no historical or archeological significance and does (do) not fall within the provisions of Executive Order 11593."

All AF Forms 300 must contain a statement, "The facility (facilities) listed does (does not) contain hazardous asbestos material."

For all facilities that are congressionally committed for disposal (i.e., DD Form 1391 or congressional testimony), their AF Forms 300 must contain the following statement, "This disposal was congressionally obligated and approved by FY\_\_\_\_\_ MCP Project, (project name) , authorized by Public Law \_\_\_\_\_, \_\_\_\_\_(date)\_\_\_\_, with funding provided by Appropriation Public Law \_\_\_\_\_, \_\_\_\_\_(date)\_\_\_\_. No additional approval action is required."

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Installation Bioenvironmental Engineer

**Attachment 22****INSTRUCTIONS FOR COMPLETING AF FORM 539**

A22.1. Triple-space between line item entries on form.

A22.1.1. Column A, Item Identification. Enter the name plate nomenclature of the item (example: convertor, 37.5 KVA).

A22.1.2. Column B, Location. Enter the physical location of the item on the installation, and the function for which it provides service (example: Building B-300; 60-cycle power for GCA).

A22.1.3. Column C, Manufacturer's Name Plate Data. Enter Manufacturer's complete name plate information (or equivalent data).

A22.1.4. Column D, Age and Condition:

A22.1.4.1. Give the year the item was originally installed.

A22.1.4.2. Enter the condition code of the equipment, as E-Excellent, G-Good, F-Fair, or P-Poor.

A22.1.4.3. Show the degree of overhaul or maintenance required, as N-none, M-minor, or E-extensive (example, if the year is 1980, the condition excellent, and the maintenance required, none, enter "80-E-N").

A22.1.5. Column E, Original Cost. Enter the original cost as shown on real property or preventive maintenance records, or an engineering estimate of the cost. Indicate "Each" or "Total."

A22.1.6. Column F, Re-Use Feasible. Enter "yes" or no." Consider all relevant factors in determining whether it is feasible to reuse the item (physical condition, age, availability of replacement parts, cost, and so forth).

A22.1.7. Column G, Date Available. Enter the date the item will be available as indicated in the Base Closure Plan (example: Jul 95).

## Attachment 23

### STEWART B. MCKINNEY HOMELESS ASSISTANCE ACT PROCEDURES

The following procedures are to provide guidance and are in compliance with the reporting procedures required by Title V of the Stewart B. McKinney Homeless Assistance Act ("McKinney Act") as amended, 42 U.S.C. Section 11411. It is the policy of the Air Force to assist the homeless by providing real property (land and buildings) that are available and determined suitable by the US Department of Housing and Urban Development (HUD). Under the McKinney Act, the Air Force is required to report to HUD those properties that are unutilized, underutilized, or excess to Air Force requirements.

**REPORTING REQUIREMENTS:** HUD is required to canvass Federal land holding agencies including the Air Force on a quarterly basis regarding unutilized, underutilized, or excess properties. This canvass will not only include new properties being reported, but any changes in the status or classification of previously reported properties. On 21 April 1993, the district court modified the 12 December 1988 permanent injunction issued in *National Law Center on Homelessness and Poverty, et al., v. US Department of Veterans Affairs, et. al.*, 88-2503-OG (D.D.C.). While the Court's Order continues to require HUD to canvass all Federal landholding agencies on a quarterly basis to collect information about unused or underused Federal property, the permanent injunction, as modified, now requires HUD to conduct only two comprehensive canvasses a year. These comprehensive canvasses will be conducted on the first day of the first and third quarters of each calendar year, i.e., 1 January and 1 July. The Order also requires that HUD conduct two supplemental canvasses. The supplemental canvasses will be conducted during the second and fourth quarters of each year, i.e., 1 April and 1 October.

The Air Force must respond to this canvass within 25 days after receiving HUD's letter. After collecting this information, HUD has 30 days to determine which properties that were reported as unutilized, underutilized, or excess, are suitable to assist the homeless.

The Air Force also is required to submit to HUD, by 31 December of each year, an annual report regarding the current availability status and classification of each property that was published by HUD as suitable during that year and list those properties remaining available and unavailable for use to assist the homeless.

**SUITABILITY DETERMINATION:** HUD has the sole responsibility and is the **only** agency that determines the suitability of unutilized, underutilized, or excess properties. This determination is solely based on the information we provide to HUD in the Federal Property Information Checklists (FPIC). In the case of properties the Air Force has reported as excess to GSA, HUD's determination will be based on an evaluation of information collected from GSA.

Most properties will be determined suitable, unless certain conditions exist such as: inaccessibility (lack of public access), national security concerns, proximity to flammable or explosive material, location in floodway, in runway clear zones, and documented deficiencies including environmental hazards that represent a clear threat to personal physical safety.

Properties determined unsuitable by HUD will be held for 20 days to allow for review of this decision by representatives of the homeless. The 20-day holding period will start from the date it was

published in the *Federal Register*.

**AVAILABILITY DETERMINATION:** When HUD notifies the Air Force that a reported property has been identified as suitable, we are required within 45 days to submit to HUD a notice of: (1) our intention to declare the property excess to Air Force needs, (2) our intention to make the property available for use by the homeless, or (3) the reasons why the property cannot be declared excess or made available to the homeless. Air Force must respond to HUD's 45-day requirement and submit a statement of availability. Within 15 days after HUD receives our availability determination notice, they will publish in the *Federal Register* a list of all properties reviewed, and of properties available or unavailable for the homeless.

**HOLDING PERIOD:** Suitable and available properties will be held for 60 days following publication in the *Federal Register*. During this period, states, local governments, or private nonprofit organizations, with interest in using these properties to assist the homeless, can submit a written notice of intent to apply for such property to the Secretary of Health and Human Services (HHS). If no interest is expressed during this period, normal disposal procedures may proceed. However, an expression of interest can be submitted to HHS at any time after the 60-day holding period (If an expression of interest is received regarding a suitable property, all proposed disposal actions should be put on hold pending an interim use by the homeless. On the other hand, if a disposal action has already been undertaken, the property need not be made available).

**APPLICATION PROCESS:** HHS is responsible for accepting applications for suitable and available properties that are published in the *Federal Register*. Upon receipt of a written expression of interest, HHS will mail the interested organization an application package and notify the Air Force of the organization's interest. The applicant has 90 days after the submission of the written notice to apply for a property and to submit a completed application to HHS. HHS has 25 days to review, make all determinations, and complete all actions on the application.

**APPROVED APPLICATION:** HHS will forward approved applications for unutilized or underutilized Air Force properties which the Air Force intends to make available to assist the homeless to HQ USAF. Upon receiving an approved application, the Air Force will promptly enter into a lease or permit agreement (not less than one year) with the applicant organization. The Air Force installation commander and applicant will determine the terms and conditions of the agreement. HHS will deed or lease SURPLUS property, whereas, landholding agencies (Air Force) will lease all other properties.

**PUBLICATION REQUIREMENTS:** Under Title V of the McKinney Act, HUD is required to publish in the *Federal Register* a list identifying those properties determined suitable and available for use as facilities to assist the homeless. For information purposes, HUD is also required to publish lists of properties determined suitable but not available and those properties determined unsuitable. By 15 February of each year, HUD must publish in the *Federal Register* a list of all properties that were found suitable and remain available for that year and those that are unavailable including the reasons such properties are not available.

**PROPERTIES NOT SUBJECT TO REPORT:** The following categories of properties are not subject to the reporting process required under the McKinney Act (regardless of whether they may be unutilized, underutilized, or excess):

Personal property (machinery and equipment).

Properties subject to special legislation (land exchange, specifically authorized disposals, etc.).

Properties subject to a court order.

Properties not subject to Executive Order 12512 requirements (includes disposal of buildings in the footprint of new construction and excess buildings on nonexcess land that are unsafe and uninhabitable and are scheduled on a work order for disposal).

Mineral rights.

Air Space interests.

Indian Reservation land (Section 202(a) of Federal Property and Administration Service Act of 1949).

Property subject to reversion.

Easements (land to be transferred to local governments).

Property purchased in whole or in part with Federal funds if title to the property is not held by a Federal landholding agency.

The Base Civil Engineer and your legal staff should be made aware of the rules and procedures affecting real property disposal actions.

**Attachment 24**

**SAMPLE OF MEMORANDUM OF RECORD AND MEMORANDUM OF UNDERSTANDING**

**MEMORANDUM FOR RECORD**

**Subj: Real Property Procedures and Responsibilities for K. I. Sawyer AFB, MI**

We, the undersigned, agree and understand the following Real Property Procedures and Responsibilities will be used between the Cannon AFB, NM, Real Property Officer (hereafter "Cannon RPO") and the Air Force Base Conversion Agency (AFBCA-OL-Z) Site Manager for K. I. Sawyer AFB, MI (hereafter referred to as "Site Manager"). These real property procedures and responsibilities are effective on the date the K. I. Sawyer AFB real estate records officially become a detached installation of Cannon AFB, NM (1 April 1995).

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**Chief, Real Estate  
Air Combat Command**

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**Site Manager  
Air Force Base  
Conversion Agency**

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**Real Property  
Accountable Officer**

**MEMORANDUM OF UNDERSTANDING**

**REAL PROPERTY PROCEDURES AND RESPONSIBILITIES FOR K. I. SAWYER AIR  
FORCE BASE, MICHIGAN**

Cannon AFB, NM (CZQZ) has been designated as the host base for K. I. Sawyer AFB, MI (LWRC), and the Escanaba Defense Fuel Supply Terminal, MI (GDTA), an off-base site associated with K. I. Sawyer AFB, MI.

An Installation Characteristics Report (AF Form 1192) will be prepared by Headquarters Air Combat Command (HQ ACC) and submitted to the Air Force Real Estate Agency (AFREA) assigning real property accountability to Cannon AFB, NM, as a detached installation(s).

AFREA will process and send to Cannon AFB, NM, through Headquarters Air Combat Command (HQ ACC).

**As the host base, the Cannon Real Property Accountable Officer (RPO):**

Will maintain the K. I. Sawyer AFB, MI, and Escanaba Defense Fuel Supply, Escanaba, MI, real property records in the Civil Engineering Work Information System (WIMS) as detached installed.

Is responsible for accounting for all real property capital assets for K. I. Sawyer AFB and Escanaba Defense Fuel Supply.

Must prepare and provide to Base Finance (FM) the source documentation (AF Form 1441) for adjusting the real property inventory and Defense Finance and Accounting system (DFAS) General

#### Ledger Accounts.

Maintains the real property inventory, inputs changes, and submits annual inventory (HAF-LEE (AR) 7115) to HQ Air Combat Command.

Will make an initial site visit and yearly site visit thereafter to assist the site manager and assigned real estate personnel (if any) in accountability issues.

#### **Air Force Instruction 32-9005 describes process. Generally:**

All adjustments, including transfers and demolitions, to the capital asset account must be recorded.

Any changes resulting in an increase or decrease in value or unit of measure requires an inventory update.

As facilities are disposed of they will become deleted from the real property inventory.

The status of each facility (i.e., occupied, leased, vacant) is recorded in the real property inventory.

#### **The Site Manager is responsible for providing all changes to the Cannon AFB RPO:**

Monthly the Site Manager will inform the Cannon RPO, in writing, of any changes to the inventory (i.e., leases, disposals, vacancies, capitalization, etc.). Negative reports are required.

The information is needed by the 25<sup>th</sup> of each month so changes can be made prior to the end of month processing.

The information provided should be in sufficient detail for the Cannon AFB RPO to make the necessary changes.

The Site Manager may accept custodial responsibility from the Cannon AFB RPO for any records needed to be maintained on site at K. I. Sawyer AFB, MI.

The Site Manager will provide an inventory of real property records needed to be retained on K. I. Sawyer AFB, MI, to the Cannon AFB RPO.

The Cannon AFB RPO and Site Manager will mutually resolve any differences.

Any real estate records that are to be retained on site at K. I. Sawyer AFB will be signed for by the Site Manager.

All real property records must be retained until all real property disposal is complete.

When property is disposed of, all records will be forwarded to the Cannon AFB RPO for final disposition.

The Site Manager shall prepare all real estate agreements, including but not limited to new real estate agreements (i.e., leases, licenses, and permits), renewals and terminations, and forward a copy of each agreement to the Cannon RPO by the 25<sup>th</sup> of each month.

All compliance inspections and boundary surveys shall be completed by the Site Manager, and forwarded to the Cannon RPO, at least annually. The Site Manager shall be responsible for correcting all non-compliance issues.

The Site Manager shall be responsible for collecting and receiving rental payments and utilities.

**Attachment 25****LEAD-BASED PAINT FINAL DISCLOSURE RULE GUIDANCE**

1. Disclose known lead-based paint and/or lead-based paint hazards in pre-1978 housing.
  - a. HQ USAF/CC memorandum, *Air Force Policy and Guidance on Lead-Based Paint in Facilities*, 24 May 93, required installations to identify existing LBP hazards and past LBP hazards where potential LBP debris may have accumulated in the area surrounding facilities. The policy attachment required Medical Services to ensure performance of investigations to determine the source of elevated blood lead levels. The Base Civil Engineer and/or Base Bioenvironmental Engineering will document facility inspections and evaluations, both qualitative (paint condition) and quantitative (lead content present in paint). Thus, each installation should have some known information available from qualitative and quantitative inspections and evaluations.
  - b. For assignment of military family housing (MFH), the disclosure would best take place at the acceptance signing of the housing unit when other similar actions take place. As a minimum, the housing office should provide all information available on a given unit. However, a specific MFH unit may have limited or no LBP/LBP hazards information and, thus, would benefit from disclosing the summary information on like units of the same homogeneous housing. If readily available, the specific and the homogeneous summary would well support the intent of occupant awareness of LBP in their quarters and support the in-place management program. Thus, the recommended approach is to have the Civil Engineer Environmental Flight or Environmental Management at HQ AFMC installations package the information for ease of use by housing office personnel.
  - c. For property transfers, the information accumulated to date and provided to the transferee should suffice under the Final Disclosure Rule. If potential LBP hazards are identified during the visual inspection of the property prior to transfer, the inspection report done by a qualified person (a certified LBP inspector/risk assessor) becomes part of the disclosure. Note that the proposed rule regarding the sale of Federally-owned target housing requires the ABATEMENT of LBP hazards in all pre-1960 constructed target housing prior to the completion of the sale by the Federal agency. Presently, Air Force policy requires abatement of LBP/LBP hazards in currently utilized MFH only during renovations, or when in-place management has proven ineffective in controlling the hazard, or when required by State or local jurisdiction under the waiver of sovereign immunity. For closure bases, Air Force Base Conversion Agency (AFBCA) Interim LBP Management Procedures do not specifically address *when* the abatement of the LBP hazards must take place. Thus, abatement by a certified contractor during renovation and prior to use may be made a condition of sale.
  - d. The sales and/or lease LBP information should disclose the basis for the determination that LBP/LBP hazards exist in the housing, their location by surface and position in the room, and the condition of painted surfaces. We recommend providing the measured lead content of the paint (milligrams/square centimeter or parts per million), guideline action quantities of 1 milligram per square centimeter and 5,000 parts per million for comparison, and other information to assist housing occupants and purchasers in interpreting the information.
  - e. The above information disclosing the LBP/LBP hazards to purchasers and lessees should be in writing with the purchasers and lessees receiving copies. Also, recommend keeping one copy in the housing folder for leasing of the MFH quarters and one copy in the sales contract records for property transfer. Keep this information in records for three years minimum from time of sale or lease. A future Air Force Instruction will clarify this requirement. For closure bases, AFBCA Title X Disclosure Forms are exhibits to lease and transfer documents and include attached LBP surveys and reports.
  - f. Note that the Defense Environmental Security Corporate Information Management (DESCIM)

Program Management Office (PMO) has recommended the Galson pcV3 (Personal Computer View-Asbestos, Lead-Based Paint, Polychlorinated Biphenyls, and Radon) software as the Toxic Substance Migration System to the Assistant Secretary of Defense (Command, Control, Communications, & Intelligence). This software can readily provide tabular and graphical representation of specific housing unit LBP data and summary data for homogeneous housing to meet this requirement of the Final Disclosure Rule. It is in the process of being added to the Navy CAD2 contract as a technology upgrade for easier and cheaper access by installations for their use and those contractors performing LBP activities for the installation. If you are not currently using this software do not initiate development or upgrade of other legacy systems for LBP per ODUSD (ES) memorandum, *Elimination of Defense Environmental Security Legacy Systems*, 17 May 96.

g. The 24 May 93 Policy and Guidance Memorandum called out the visual inspection and initial evaluation of housing built before 1980. While the Final Disclosure Rule specifically calls out pre-1978 housing, the emphasis should be on disclosing KNOWN LBP/LBP hazards in the spirit of in-place management, protection of Air Force dependent children, and protection of the in-house and contracted work force that can become exposed to lead dust. Thus, if the installation has information on LBP/LBP hazards in residential housing built in 1978 or later, especially in common areas, this information should be provided to the new and existing housing occupants.

h. The Final Disclosure Rule does not impose a requirement to conduct any inspection/evaluation or abatement activities in housing currently being used by the Air Force. Other sections of Title X cover these activities. Most importantly, Section 1013 of Title X entitled "Disposition of Federally Owned Housing," imposes, as of 1 Jan 95, a requirement for the inspection and abatement of LBP hazards in connection with the SALE of all Federally-owned target housing constructed prior to 1960. Also beginning 1 Jan 95, any sale of target housing constructed between 1960 and 1978 requires an inspection of LBP/LBP hazards or a risk assessment by a certified LBP inspector. The law does not mention an obligation to complete abatement of LBP/LBP hazards in connection with the sale/disposal of 1960-1978 target housing. As a result, the purchaser will take the property in an "as is" condition if he/she decides to complete the purchase of AF housing. Abatement of LBP/LBP hazards should be part of any renovation project in Air Force MFH; however, LBP/LBP hazard abatement should not be conducted if its primary purpose is to prepare the MFH for sale or transfer. The other instances when non-BRAC installations must perform abatement apart from a renovation project are when interim/in-place management controls do not provide adequate protection or when State or local jurisdictions require the abatement.

2. Provide any available records or reports pertaining to the presence of lead-based paint and/or lead-based paint hazards.

a. For a military occupant, providing available records and reports pertaining to the MFH unit in question would be administratively difficult and of little value due to the need to interpret the information. It may also be medically or privacy act controlled, such as a Lead Toxicity Investigation (LTI) Report. Recommend providing a listing of the pertinent records and reports. Also recommend providing the holder of the records (Environmental Flight, Environmental Management, or Bioenvironmental Engineering) as the points of contact with telephone numbers. When the specific and summary information provided to a housing occupant under paragraph 1 is not sufficient, the occupant knows where the records and reports are available and can gain assistance in their interpretation.

b. For property transfers, all records and reports should be passed to the purchaser, except the complete LTI reports. However, the LBP/LBP hazards information, if any, may be provided separately from the LTI report. Recommend keeping a copy of the records and reports for the archived transfer contract records.

3. Provide a federally approved lead hazard information pamphlet.
  - a. The standard pamphlet covered in the Final Disclosure Rule is EPA747-K-001, *Protect Your Family from Lead in Your Home*, May 95. A full color pamphlet is available from the National Lead Information Center by calling 1-800-424-LEAD. Bulk copies of the full color pamphlet are available from the Government Printing Office, (202) 512-1800, at \$26.00/50 copies using Stock No. 055-000-00507-9. This is a public domain document and may be reproduced locally without permission.
  - b. For INTERNET users the pamphlet is available in text and pdf format at the following addresses: [http://www.epa.gov/docs/lead\\_mand](http://www.epa.gov/docs/lead_mand)<http://www.nsc.org/nsc/ehc/ehc.html>. For those not familiar with pdf format you require Adobe Acrobat Reader to access, read, and print this format. The Air Force Electronic Publications Library CD-ROM includes Adobe Acrobat Reader and is available at any Publications Distribution Office. With a color printer you can duplicate the EPA pamphlet.
  - c. For eye catching appeal using general capability, recommend using the grayscale version of the printed pdf format from the EPA Web Site. Base reprographics should be able to produce this as a foldover pamphlet in grayscale, and maybe even color if you provide the electronic pdf format file.
  - d. Due to the waiver of sovereign immunity under Title X, if a State or local jurisdiction develops an information pamphlet and receives EPA approval for its use under this rule, the installation may be required to use the alternate approved pamphlet. Check with your local and State regulators.
  
4. Opportunity for purchaser to conduct a risk assessment or inspection for the presence of LBP/LBP hazards before becoming obligated under the contract to purchase the housing. The Air Force must provide an opportunity for the purchaser to conduct a risk assessment or inspection for the presence of LBP/LBP hazards before becoming obligated under a contract of sale for target housing. Likewise, the contract of sale would not be binding on the purchaser unless the Air Force, as seller, provided the purchaser with the EPA lead hazard information pamphlet; and, disclosed to the purchaser the presence of any known LBP, or any known LBP hazards and furnished the purchaser any lead hazard evaluation reports available to the Air Force; and, permitted the purchaser a 10-day period (unless the parties agree to a different period) to conduct an inspection or risk assessment for the presence of LBP-hazards and allow the purchaser to get out of the contract for the sale of the Air Force target housing if LBP hazards are discovered. The Air Force contract for purchase and sale shall contain a Lead Warning Statement and an acknowledgment signed by the purchaser that the purchaser has read the Lead Warning Statement and understands its contents, received the lead hazard information pamphlet, and was provided a 10-day opportunity to conduct a risk assessment or inspection of the housing before becoming obligated under the contract to purchase the housing.
  
5. Sales and leasing contracts must include certain disclosure and acknowledgment language.
  - a. See attachment for the sample lease disclosure form and sample sales disclosure form. Note that "agent" as used in the context of the Final Disclosure Rule is not applicable to any Air Force situation and has been removed from the sample forms as found in the Final Disclosure Rule. AFBCA currently uses the EPA sample form and refers to it as the "Title X Disclosure Form" both in its procedures and its documents.
  - b. As with the pamphlet, State and local jurisdictions can make changes to the format as necessary. In this case they may do this to retain consistency with State and local laws and customs. However, the revised final version must contain all mandated elements. Check with your local and State regulators as to their requirements to use their forms under sovereign immunity waiver.
  - c. Keep this information in records for three years minimum from time of sale or lease. The future AFI will clarify this requirement.
  
6. Additional recommendation to promote LBP and lead poisoning awareness. This is not a requirement of the Final Disclosure Rule.

a. The elevated blood lead data across the Air Force indicates off-base as a statistically significant source of lead hazards to Air Force dependent children. To reduce the potential for lead hazard exposure to children living off-base, request that Civil Engineer, Environmental Management, and Bioenvironmental Engineering personnel coordinate with the appropriate base agencies to incorporate the EPA approved pamphlet into the installation's newcomers' welcome package to ensure that both on- and off-base personnel have this information available.

b. An alternative to the welcome package would be making the pamphlet available during the base newcomer's briefing and having an appropriate base agency speaker provide an overview of lead hazards on- and off-base.

c. A third alternative would be to provide the pamphlet at the housing/housing referral offices as new personnel visit here very soon after arrival. A one page point paper summarizing on- and off-base lead hazards and points of contact for additional information would answer the initial questions upon receipt of the pamphlet.

### **Lead-Based Paint Final Disclosure Rule Definitions**

**ABATEMENT:** Includes:

(1) Removal of lead-based paint and lead-contaminated dust, the permanent containment or encapsulation of lead-based paint, the replacement of lead-painted surfaces or fixtures, and the removal or covering of lead-contaminated soil; and

(2) All preparation, cleanup, disposal, and post-abatement clearance testing activities associated with such measures.

**ACCESSIBLE SURFACE:** An interior or exterior surface painted with lead-based paint that is accessible for a young child to mouth or chew.

**AVAILABLE:** In the possession of or reasonably obtainable by the seller or lessor at the time of the disclosure.

**COMMON AREAS:** A portion of a building generally accessible to all residents/users including, but not limited to, hallways, stairways, laundry and recreational rooms, playgrounds, community centers, and boundary fences.

**DETERIORATED PAINT:** Any interior or exterior paint that is peeling, chipping, chalking, or cracking, or any paint located on an interior or exterior surface or fixture that is damaged or deteriorated. [The last point deals with good paint that is on a deteriorating or damaged substrate, thus disbonding the lead-based paint and making it a hazard to a young child.]

**EVALUATION:** A risk assessment and/or inspection.

**FRICTION SURFACE:** An interior or exterior surface that is subject to damage by abrasion or friction, including certain window, floor, and stair surfaces.

**IMPACT SURFACES:** An interior or exterior surface that is subject to damage by repeated impacts; for example, certain parts of door frames.

**HOMOGENEOUS HOUSING:** Housing constructed under the same contract at the same time by the same crews using the same materials and standards. This housing is also repaired, maintained,

and renovated as a block during subsequent contracts or in-house work using the same crews, materials, and standards. Thus, work is sufficiently consistent on these units to allow a statistical sampling vice an investigation of each and every unit for lead-based paint and/or lead-based paint hazards.

**INSPECTION:** (1) A surface-by-surface investigation to determine the presence of lead-based paint (Section 302(c) of 42 U.S.C. 4822) and (2) The report explaining the results of the investigation.

**INTERIM CONTROLS (In-Place Management):** A set of measures designed to temporarily reduce human exposure or the likelihood of exposure to lead-based paint hazards, including specialized cleaning, repairs, maintenance, painting, temporary containment, ongoing monitoring of lead-based paint hazards or potential hazards, and the establishment and operation of management and resident education programs.

**LEAD-BASED PAINT:** Paint or other surface coatings that contain lead equal to or in excess-of 1.0 milligram per square centimeter or 0.5 percent by weight (5,000 ppm).

**LEAD-BASED PAINT FREE HOUSING:** Target housing that has been found to be free of lead-based paint or other surface coatings that contain lead equal to or in excess of 1.0 milligram per square centimeter or 0.5 percent by weight (5,000 ppm).

**LEAD-BASED PAINT HAZARDS:** Any condition that causes exposure to lead from lead-contaminated dust, lead-contaminated soil, or lead-contaminated paint that is deteriorated or present in accessible surfaces, friction surfaces, or impact surfaces that would result in adverse human health effects as established by the appropriate Federal agency.

**LEAD-CONTAMINATED DUST:** Surface dust in residential dwellings that contains an area or mass concentration of lead in excess of levels determined by the appropriate Federal agency to pose a threat of adverse health effects in pregnant women and young children.

**LEAD-CONTAMINATED SOIL:** Bare soil on residential real property that contains at or in excess of the levels determined to be hazardous to human health by the appropriate Federal agency.

**REDUCTION:** Measures designed to reduce or eliminate human exposure to lead-based paint hazards through methods including interim controls and abatement.

**RISK ASSESSMENT:** An on-site investigation to determine and report the existence, nature, severity, and location of lead-based paint hazards in residential dwellings, including:

- (1) Information gathering regarding the age and history of the housing and occupancy by children under age 6;
- (2) Visual inspection;
- (3) Limited wipe sampling or other environmental sampling techniques;
- (4) Other activity as may be appropriate;
- (5) Provision of a report explaining the results of the investigation.

**TARGET HOUSING:** Any housing constructed prior to 1978, except housing for the elderly or persons with disabilities (unless any child who is less than 6 years of age resides or is expected to reside (pregnancy included) in such housing) or any 0-bedroom dwelling.

**0-BEDROOM DWELLING:** Any residential dwelling in which the living area is not separated from the sleeping area. The term includes efficiencies, studio apartments, dormitory housing, military barracks, and rentals of individual rooms in residential dwellings.

(Sample Disclosure Format for Target Housing Rentals and Leases)

Disclosure of Information on Lead-Based Paint and/or Lead-Based Paint Hazards

**Lead Warning Statement** Housing built before 1978 may contain lead-based paint. Lead from paint, paint chips, and dust can pose health hazards if not managed properly. Lead exposure is especially harmful to young children and pregnant women. Before renting pre-1978 housing, lessors must disclose the presence of known lead-based paint and/or lead-based paint hazards in the dwelling. Lessees must also receive a federally approved pamphlet on lead poisoning prevention.

**Lessor's Disclosure**

- (a) Presence of lead-based paint and/or lead-based paint hazards (Check (i) or (ii) below):
  - (i) \_\_\_\_\_ Known lead-based paint and/or lead-based paint hazards are present in the housing explain  
\_\_\_\_\_
  - (ii) \_\_\_\_\_ Lessor has no knowledge of lead-based paint and/or lead-based paint hazards in the housing.
- (b) Records and reports available to the lessor (Check (i) or (ii) below):
  - (i) \_\_\_\_\_ Lessor has provided the lessee with all available records and reports pertaining to lead-based paint and/or lead-based paint hazards in the housing (list documents below).
  - (ii) \_\_\_\_\_ Lessor has no reports or records pertaining to lead-based paint and/or lead-based paint hazards in the housing.

**Lessee's Acknowledgment (initial)**

- (c) \_\_\_\_\_ Lessee has received copies of all information listed above.
- (d) \_\_\_\_\_ Lessee has received the pamphlet *Protect Your Family from Lead in Your Home*.

**Certification of Accuracy**

The following parties have reviewed the information above and certify, to the best of their knowledge, that the information they have provided is true and accurate.

\_\_\_\_\_  
Lessor

\_\_\_\_\_  
Date

\_\_\_\_\_  
Lessee

\_\_\_\_\_  
Date

(Sample Disclosure Format for Target Housing Sales)

Disclosure of Information on Lead-Based Paint and/or Lead-Based Paint Hazards

**Lead Warning Statement** Every purchaser of any interest in residential real property on which a residential dwelling was built prior to 1978 is notified that such property may present exposure to lead from lead-based paint that may place young children at risk of developing lead poisoning. Lead poisoning in young children may produce permanent neurological damage, including learning disabilities, reduced intelligence quotient, behavioral problems, and impaired memory. Lead poisoning also poses a particular risk to pregnant women. The seller of any interest in residential real property is required to provide the buyer with any information on lead-based paint hazards from risk assessments or inspections in the seller's possession and notify the buyer of any known lead-based paint hazards. A risk assessment or inspection for possible lead-based paint hazards is recommended prior to purchase.

**Seller's Disclosure**

- (a) Presence of lead-based paint and/or lead-based paint hazards (check (i) or (ii) below):
  - (i) \_\_\_\_\_ Known lead-based paint and/or lead-based paint hazards are present in the housing (explain) \_\_\_\_\_
  - (ii) \_\_\_\_\_ Seller has no knowledge of lead-based paint and/or lead-based paint hazards in the housing.
  
- (b) Records and reports available to the seller (check (i) or (ii) below):
  - (i) \_\_\_\_\_ Seller has provided the purchaser with all available records and reports pertaining to lead-based paint and/or lead-based paint hazards in the housing (list documents below).  
\_\_\_\_\_
  - (ii) \_\_\_\_\_ Seller has no reports or records pertaining to lead-based paint and/or lead-based paint hazards in the housing.

**Purchaser's Acknowledgment** (initial)

- (c) \_\_\_\_\_ Purchaser has received copies of all information listed above.
- (d) \_\_\_\_\_ Purchaser has received the pamphlet *Protect Your Family from Lead in Your Home*.
- (e) \_\_\_\_\_ Purchaser has (check (i) or (ii) below):
  - (i) \_\_\_\_\_ received a 10-day opportunity (or mutually agreed upon period) to conduct a risk assessment or inspection for the presence of lead-based paint and/or lead-based paint hazards; or
  - (ii) \_\_\_\_\_ waived the opportunity to conduct a risk assessment or inspection for the presence of lead-based paint and/or lead-based paint hazards.

**Certification of Accuracy**

The following parties have reviewed the information above and certify, to the best of their knowledge, that the information they have provided is true and accurate.

Seller		Date
Purchaser		Date